

Also, petition of Union League Club of New York, favoring passage of bill H. R. 220, by Mr. Goulden, against desecration of the flag by advertisements and in other ways—to the Committee on Military Affairs.

By Mr. OVERSTREET: Paper to accompany bill for relief of Thomas Bruner—to the Committee on Invalid Pensions.

By Mr. PUJO: Petition of citizens of St. Landry Parish, La., against construction of a dam across Bayou Courtableau—to the Committee on Rivers and Harbors.

By Mr. REYNOLDS: Paper to accompany bill for relief of Blair W. Peck—to the Committee on Pensions.

Also, papers to accompany bills for relief of John Davis and Joseph H. Stonebraker—to the Committee on Invalid Pensions.

By Mr. SABATH: Petition of Asiatic Exclusion League of North America, favoring a more effective Asiatic exclusion law—to the Committee on Foreign Affairs.

By Mr. SLAYDEN: Paper to accompany bill for relief of Mary A. and Clarence E. Haney—to the Committee on War Claims.

By Mr. STEENERSON: Petition of residents of Becker County, Minn., against the Johnston bill (S. 3940), providing for religious legislation in the District of Columbia—to the Committee on the District of Columbia.

By Mr. STURGISS: Paper to accompany bill for relief of Pary McNair—to the Committee on Invalid Pensions.

By Mr. TIRRELL: Paper to accompany bill for relief of George W. Clark—to the Committee on Invalid Pensions.

By Mr. WOOD: Paper to accompany bill for relief of Charles M. Goodfellow—to the Committee on Invalid Pensions.

By Mr. YOUNG: Petition of William S. Piper and others, of Michigan, favoring the pensioning of members of the Military Telegraphers' Corps in civil war—to the Committee on Invalid Pensions.

SENATE.

THURSDAY, December 17, 1908.

The Senate met at 12 o'clock m.

Prayer by the Chaplain, Rev. Edward Everett Hale.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. ALDRICH, and by unanimous consent, the further reading was dispensed with.

The VICE-PRESIDENT. The Journal stands approved.

DISMISSAL OF CASES BY COURT OF CLAIMS.

The VICE-PRESIDENT laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a list of congressional cases dismissed on motion of the defendants May 13, 1907, for want of jurisdiction, which, with the accompanying papers, was referred to the Committee on Claims and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, certifying, pursuant to the order of the court, that the cases of Charles Choteau, No. 9990 (dismissed April 6, 1908), William Birdsong, No. 11907 A (dismissed January 6, 1908), and Andrew J. Musselman, No. 11908 C (dismissed January 6, 1908), were severally dismissed upon motions of the defendants, and were ordered by the court to be certified to the President of the Senate, etc., which was referred to the Committee on Claims and ordered to be printed.

FINDINGS OF THE COURT OF CLAIMS.

The VICE-PRESIDENT laid before the Senate communications from the assistant clerk of the Court of Claims, transmitting certified copies of the findings of fact filed by the court in the following causes:

In the cause of the Trustees of the First Presbyterian Church of Paris, Ky., v. United States;

In the cause of St. Augustine's Roman Catholic Church, of Lebanon, Ky., v. United States; and

In the cause of the Shiloh Presbyterian Church, of Calhoun, Tenn., v. United States.

The foregoing findings were, with the accompanying papers, referred to the Committee on Claims and ordered to be printed.

THE PARLIAMENT OF TURKEY.

Mr. CULLOM. Mr. President, I ask leave out of order to present a resolution for consideration at this time.

There being no objection, the resolution was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Department of State be requested to communicate to the newly convened parliament of Turkey the congratulations and good wishes of the Senate of the United States.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. Browning, its Chief Clerk, returned to the Senate, in compliance

with its request, the bill (S. 7777) to authorize the St. Paul Bridge and Terminal Railway Company to construct a bridge across the Mississippi River at or near St. Paul, Minn.

The message also announced that the House had passed a bill (H. R. 22879) to amend an act entitled "An act to amend an act to authorize the city of St. Louis, a corporation organized under the laws of the State of Missouri, to construct a bridge across the Mississippi River," approved January 23, 1908, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills and joint resolution, and they were thereupon signed by the Vice-President:

S. 2999. An act to amend an act entitled "An act to provide for the extension of New Hampshire avenue, in the District of Columbia, and for other purposes," approved February 27, 1907;

S. 4308. An act to change the name of V street, from Florida avenue to Nineteenth street NW., to California street;

S. 4814. An act to amend section 491 n of the Code of Law for the District of Columbia;

H. R. 22274. An act to authorize the St. Paul Bridge and Terminal Railway Company to construct a bridge across the Mississippi River at or near St. Paul, Minn.; and

H. J. Res. 206. Joint resolution to pay the officers and employees of the Senate and House of Representatives their respective salaries for the month of December, 1908, on the 19th day of said month.

ADJOURNMENT TO SATURDAY.

Mr. ALDRICH. I move that when the Senate adjourns to-day it adjourn to meet on Saturday next.

The motion was agreed to.

BUSINESS ON SATURDAY.

Mr. ALDRICH. I make the request that there be an understanding that no business shall be transacted by the Senate at its session on Saturday.

The VICE-PRESIDENT. The Senator from Rhode Island requests that it be understood that no business shall be transacted at its session on Saturday next.

Mr. HALE. I have just been present at a meeting of the Committee on the Census, and the chairman of the committee would like a reservation of the right to report the census bill on Saturday.

Mr. ALDRICH. Yes; that is excepted, as routine business.

Mr. BURKETT. The Senator from Montana [Mr. CARTER] is not here. I know that he is very anxious to push along the consideration of the postal savings bank bill. I think, perhaps, it may not be his intention to take up the bill for action before the holidays, but as I understand the request of the Senator from Rhode Island, it would not preclude the continuation of debate this week on that bill.

Mr. ALDRICH. A large number of Senators are about to leave the city; in fact, quite a number have already left, and I think the discussion of any question of general importance ought not to take place in the absence of a majority of the Senate.

Mr. BURKETT. I think we should not make the agreement in the absence of the Senator from Montana.

Mr. ALDRICH. I have no objection to let the question remain unacted upon until the Senator from Montana is present.

Mr. BURKETT. I think that would be perhaps the better way.

The VICE-PRESIDENT. The Senator from Rhode Island withdraws his request?

Mr. ALDRICH. I withdraw the request for the present.

PETITIONS AND MEMORIALS.

Mr. GALLINGER presented the petition of Joseph L. Atkins, of Washington, D. C., praying for the enactment of legislation to establish a United States court of patent appeals, which was referred to the Committee on Patents.

He also presented a memorial of the Brightwood Citizens' Association, of the District of Columbia, remonstrating against the violation of section 16 of the act governing the operation of street railways by the street railway companies of the District of Columbia, which was referred to the Committee on the District of Columbia.

He also presented a petition of the Board of Trade of Washington, D. C., and the petition of W. H. Rapley, of Washington, D. C., praying for the enactment of legislation providing for a high-pressure water system in the District of Columbia, which were referred to the Committee on Appropriations.

Mr. PERKINS presented a petition of the committee on harbor of the Chamber of Commerce of Honolulu, Territory of Hawaii, praying that the present coastwise shipping law be continued in force, and also for the upbuilding of the American

merchant marine by subsidy, which was referred to the Committee on Commerce.

Mr. WARNER presented a petition of sundry citizens of the State of Missouri, praying for the adoption of a certain amendment to the present widows' pension law, which was referred to the Committee on Pensions.

Mr. WARREN presented a memorial of the Associated Banks of Sheridan, Wyo., remonstrating against the passage of the so-called "postal savings bank bill," which was referred to the Committee on Post-Offices and Post-Roads.

Mr. TAYLOR presented petitions of the Commercial Club of Johnson City, of the Business Men's Club of Memphis, and of the Board of Trade of Puaski, all in the State of Tennessee, praying for the enactment of legislation to establish a national forest reserve in the Southern Appalachian and White Mountains, which were ordered to lie on the table.

He also presented a petition of sundry citizens of Cleveland, Tenn., praying for the enactment of legislation granting pensions to the surviving members of the United States Military Telegraph Corps who served in the civil war, which was referred to the Committee on Pensions.

Mr. DEPEW presented petitions of sundry citizens of New York City, Brooklyn, Mount Vernon, and Yonkers, all in the State of New York, praying for the enactment of legislation granting pensions to the surviving members of the United States Military Telegraph Corps who served in the civil war, which were referred to the Committee on Pensions.

He also presented a petition of Local Grange No. 984, Patrons of Husbandry, of Chester, N. Y., praying for the passage of the so-called "rural parcels-post and postal savings bank bills," which was referred to the Committee on Post-Offices and Post-Roads.

Mr. SUTHERLAND presented petitions of Local Unions Nos. 67, 199, 201, 237, and 249, of Bingham, Mercur, Castle Gate, and West Jordan, all of the United Mine Workers of America, in the State of Utah, praying that an investigation be made into the conditions of mines operated by the Treadwell Mining Company on Douglas Island, Alaska, which were referred to the Committee on Mines and Mining.

Mr. HOPKINS presented a petition of Local Lodge, International Brotherhood of Blacksmiths and Helpers, of Chicago, Ill., praying for the enactment of legislation to prohibit the immigration of Asiatics into the United States, excepting merchants, students, and travelers, and remonstrating against extending the right of naturalization to Asiatics, which was referred to the Committee on Immigration.

Mr. CARTER presented a petition of sundry citizens of the State of Montana, praying for the enactment of legislation to create an additional land district in that State, to be known as the "Harlowton land district," which was referred to the Committee on Public Lands.

Mr. BROWN presented sundry affidavits to accompany the bill (S. 7055) granting an increase of pension to James M. Thomas, which were referred to the Committee on Pensions.

He also presented sundry papers to accompany the bill (S. 7066) granting an increase of pension to Alva L. Fitch, which were referred to the Committee on Pensions.

Mr. HEYBURN presented a petition of Local Union No. 9, United Mine Workers of America, of Coeur d'Alene, Idaho, and a petition of Local Union No. 10, United Mine Workers of America, of Burke, Idaho, praying that an investigation be made into the conditions of mines operated by the Treadwell Mining Company on Douglas Island, Alaska, which were referred to the Committee on Mines and Mining.

He also presented sundry affidavits to accompany the bill (S. 7874) granting an increase of pension to Eri C. Tuller, which were referred to the Committee on Pensions.

He also presented sundry affidavits to accompany the bill (S. 7323) granting an increase of pension to James Kirby, which were referred to the Committee on Pensions.

ESTATE OF ISABELLA ANN FLUKER, DECEASED.

Mr. FULTON, from the Committee on Claims, reported the following resolution, which was considered by unanimous consent and agreed to:

Resolved, That Senate bill 7331 for the relief of the estate of Isabella Ann Fluker, deceased, together with all accompanying papers, be, and the same is hereby, referred to the Court of Claims in pursuance of the provisions of an act entitled "An act to provide for the bringing of suits against the Government of the United States," approved March 3, 1887, and commonly known as the "Tucker Act."

BILLS INTRODUCED.

Mr. KNOX (by request) introduced a bill (S. 7903) to change the date of commission of Col. John L. Chamberlain, Inspector-General, U. S. Army, which was read twice by its title and referred to the Committee on Military Affairs.

Mr. BOURNE introduced a bill (S. 7904) to increase the salaries of the President and Vice-President of the United States, respectively, to \$100,000 and \$25,000 per annum, which was read twice by its title and referred to the Committee on Finance.

Mr. DEPEW introduced a bill (S. 7905) granting an increase of pension to Wesley Trafford, which was read twice by its title and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 7906) granting a pension to Charles N. Phelps, which was read twice by its title and referred to the Committee on Pensions.

He also introduced a bill (S. 7907) granting an increase of pension to Milo S. Goldthwait, which was read twice by its title and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 7908) for the relief of Patrick McCormick, which was read twice by its title and referred to the Committee on Military Affairs.

Mr. GALLINGER introduced a bill (S. 7909) to amend an act entitled "An act to distinctively designate parcels of land in the District of Columbia for the purposes of assessment and taxation, and for other purposes," approved March 3, 1899, which was read twice by its title and, with the accompanying papers, referred to the Committee on the District of Columbia.

Mr. CLARK of Wyoming introduced a bill (S. 7910) for the relief of J. Blair Shoenfelt, former United States Indian agent, Union Agency, Okla., which was read twice by its title and referred to the Committee on Indian Affairs.

Mr. du PONT introduced the following bills, which were severally read twice by their titles and referred to the Committee on Pensions:

A bill (S. 7911) granting a pension to William Miles; and

A bill (S. 7912) granting a pension to Hannah Traynor.

Mr. SUTHERLAND introduced a bill (S. 7913) granting an increase of pension to Edward D. Le Compte, which was read twice by its title and referred to the Committee on Pensions.

Mr. PILES (for Mr. CLAPP) introduced the following bills, which were severally read twice by their titles and referred to the Committee on Indian Affairs:

A bill (S. 7914) to amend sections 7 and 8 of the act of May 29, 1908 (35 Stat. L., p. 460), entitled "An act to authorize the sale and disposition of a portion of the surplus and unallotted lands in the Cheyenne River and Standing Rock Indian reservations in the States of South Dakota and North Dakota, and making appropriation and provision to carry the same into effect;"

A bill (S. 7915) to authorize the Secretary of the Interior to fulfill certain treaty stipulations with the Chippewa Indians of Lake Superior and the Mississippi, and making appropriation for the same;

A bill (S. 7916) to amend an act approved May 8, 1906, entitled "An act to amend section 6 of an act approved February 8, 1887, entitled 'An act to provide for the allotment of lands in severalty to Indians on the various reservations, and to extend the protection of the laws of the United States and the Territories over the Indians, and for other purposes;'" and

A bill (S. 7917) for the enrollment in the Five Civilized Tribes of certain persons inadvertently omitted from the rolls (with the accompanying paper).

Mr. PILES introduced a bill (S. 7918) for the relief of Bernard W. Murray, which was read twice by its title and referred to the Committee on Claims.

Mr. PERKINS introduced the following bills, which were severally read twice by their titles and referred to the Committee on Territories:

A bill (S. 7919) for the protection of wild animals and birds in the interior of Alaska and setting aside a refuge and breeding place therefor; and

A bill (S. 7920) for the protection of wild animals and birds in Alaska and setting aside a refuge and breeding place therefor.

Mr. OVERMAN introduced a bill (S. 7921) granting a pension to Wiley S. Roberts, which was read twice by its title and referred to the Committee on Pensions.

Mr. OVERMAN (for Mr. SIMMONS) introduced a bill (S. 7922) for the relief of the heirs of Mary Everitt, deceased, which was read twice by its title and, with the accompanying paper, referred to the Committee on Claims.

Mr. CULBERSON (for Mr. GORE) introduced a bill (S. 7923) granting a pension to Jeremiah Dotter, which was read twice by its title and referred to the Committee on Pensions.

Mr. HOPKINS introduced a bill (S. 7924) granting an increase of pension to George W. Rollman, which was read twice by its title and, with the accompanying papers, referred to the Committee on Pensions.

Mr. CARTER introduced a bill (S. 7925) to create an additional land district in the State of Montana, to be known as the

"Harlowton land district," which was read twice by its title and referred to the Committee on Public Lands.

Mr. HALE introduced a bill (S. 7926) granting a pension to Julia B. Coghlan, which was read twice by its title and referred to the Committee on Pensions.

Mr. MONEY introduced a bill (S. 7927) for the relief of the heirs of Sarah R. Farmer, deceased, which was read twice by its title and, with the accompanying paper, referred to the Committee on Claims.

He also introduced a bill (S. 7928) for the relief of the estate of Ann M. Meehan, deceased, which was read twice by its title and, with the accompanying paper, referred to the Committee on Claims.

Mr. FRYE introduced the following bills, which were severally read twice by their titles and, with the accompanying papers, referred to the Committee on Pensions:

- A bill (S. 7929) granting a pension to Maria E. Tilton; and
- A bill (S. 7930) granting a pension to Aaron O. Houghton.

Mr. BORAH introduced the following bills, which were severally read twice by their titles and, with the accompanying papers, referred to the Committee on Pensions:

- A bill (S. 7931) granting an increase of pension to Samuel L. Shannon;
- A bill (S. 7932) granting an increase of pension to Charles Hobart;
- A bill (S. 7933) granting an increase of pension to George W. Curl; and
- A bill (S. 7934) granting an increase of pension to Amasa Smith.

Mr. BOURNE introduced the following bills, which were severally read twice by their titles and, with the accompanying papers, referred to the Committee on Pensions:

- A bill (S. 7935) granting an increase of pension to Charles G. Fink; and
- A bill (S. 7936) granting an increase of pension to Boyd Cannady.

Mr. WARNER introduced a bill (S. 7937) for the relief of W. D. McLean, alias Donald McLean, which was read twice by its title and referred to the Committee on Military Affairs.

He also introduced a bill (S. 7938) for the relief of John H. Cole, which was read twice by its title and referred to the Committee on Claims.

Mr. FORAKER introduced a bill (S. 7939) granting a pension to Ellen T. Cowen, which was read twice by its title and, with the accompanying papers, referred to the Committee on Pensions.

Mr. CULLOM. On behalf of the Senator from Wisconsin [Mr. STEPHENSON], who was called away on account of a death in his family, I introduce sundry bills, with accompanying papers, and ask that they be referred to the Committee on the Judiciary.

The bills were severally read twice by their titles and, with the accompanying papers, referred to the Committee on the Judiciary:

A bill (S. 7940) to amend an act entitled "An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1896, and for other purposes;"

A bill (S. 7941) to amend section 3613 of the Revised Statutes of the United States;

A bill (S. 7942) to amend section 2619 of the Revised Statutes of the United States; and

A bill (S. 7943) to amend section 2625 of the Revised Statutes of the United States.

Mr. BACON introduced a bill (S. 7944) granting an increase of pension to Gertrude S. Walker, which was read twice by its title and referred to the Committee on Pensions.

AMENDMENTS TO DIPLOMATIC AND CONSULAR APPROPRIATION BILL.

Mr. LODGE submitted an amendment proposing to appropriate \$400,000 for the purchase of a building and grounds, or of a site and the erection of a building thereon, in the city of Paris, France, for the use of the embassy at that city, etc., intended to be proposed by him to the diplomatic and consular appropriation bill, which was referred to the Committee on Foreign Relations and ordered to be printed.

He also submitted an amendment proposing to increase the salary of the envoy extraordinary and minister plenipotentiary to China from \$12,000 to \$17,500, intended to be proposed by him to the diplomatic and consular appropriation bill, which was referred to the Committee on Foreign Relations and ordered to be printed.

PANAMA CANAL PURCHASE.

On motion of Mr. WARREN, it was

Ordered, That the Secretary be directed to return to the Departments of State, War, and Justice all the documents and papers transmitted by the President of the United States to the Senate in his message of

December 15, 1908, which were formerly a part of the files of these departments and were not printed by an order of the Senate.

THE MARINE CORPS.

Mr. RAYNER. I ask that the following resolution be read and referred to the proper committee.

The resolution was read, as follows:

Whereas the President of the United States has lately promulgated a series of orders in connection with the Marine Corps, detaching them from battle ships and requiring them to perform certain tests, as are fully set forth in said orders: Now be it

Resolved, That the Committee on Military Affairs is hereby instructed to inquire and report, first, whether the President, under existing statutes, has the authority to issue these orders.

Second. Whether, if he has such authority, the execution of these orders would not impair the efficiency of the marine service instead of advancing it, and whether the service would not thereby be diverted from the purpose for which it was intended by law.

Third. Whether Congress has not the right to prescribe a set of rules and regulations for the government of the Marine Corps which will bind the President, as Commander in Chief of the Army and Navy of the United States; and, if so, to report a set of rules for the government of the Marine Corps to effect the purpose for which said corps was organized and to promote its usefulness.

Mr. HALE. I call the attention of the Senator from Wyoming [Mr. WARREN] to the resolution. Perhaps he may not have listened to the reading of it.

Mr. WARREN. I did not.

Mr. HALE. It provides that action relating to the Marine Corps, the President's order fixing the duties of members of that corps, shall be considered and reported upon by the Committee on Military Affairs. The Senator will remember that the Marine Corps is a part not of the army establishment, but of the navy. I should like to have his view as to whether this subject should go to the Military Committee or the Naval Committee.

Mr. WARREN. Mr. President, I confess to having been engaged in reading a paper, and I did not hear the resolution. I wish it might be read again.

The VICE-PRESIDENT. The Secretary will again read the resolution, at the request of the Senator from Wyoming.

The Secretary again read the resolution.

Mr. WARREN. If the Military Committee should be charged with the responsibility of that resolution, I think they would expect to have the views of the Committee on Naval Affairs. I see the reasons why the chairman of the Committee on Naval Affairs called my attention to it. I see no reason why the resolution should not go to the Committee on Naval Affairs.

Mr. HALE. I move that the resolution be referred to the Committee on Naval Affairs.

Mr. RAYNER. Mr. President, I have no objection at all to the resolution going to the Committee on Naval Affairs. The President of the United States, I understand, by an order issued some weeks ago, detached the Marine Corps from the battle ships, to be turned into policemen or patrolmen or janitors or whatever else they may be called, and yesterday he promulgated another series of orders. I infer that the President intended to take them away entirely from the jurisdiction of the navy. It looks to me that way. For that reason I simply proposed to send the resolution to the Committee on Military Affairs, but I want to say that I have not the slightest objection in the world to sending it to the Committee on Naval Affairs. I submit to any change the chairman of the committee wants to make in the resolution.

Mr. HALE. I have moved that it be referred to the Committee on Naval Affairs.

The motion was agreed to.

SUPPRESSION OF TRUSTS, ETC.

Mr. DAVIS. The bill (S. 7371) to suppress pools, trusts, and combinations in trade, and to provide penalties for violations of its provisions, and for other purposes, is on the Table Calendar. I desire to call up the bill for the purpose of moving that it be referred to the Committee on the Judiciary.

The VICE-PRESIDENT. The Chair lays the bill before the Senate.

The Secretary read the bill by title.

The VICE-PRESIDENT. The Senator from Arkansas asks that the bill be referred to the Committee on the Judiciary. Without objection, it is so ordered.

GAMBLING IN FARM PRODUCTS.

Mr. DAVIS. I desire to give notice that on January 26, after the morning business, I shall desire to address the Senate on the bill (S. 7370) to prohibit any person or corporation, for themselves or for or in the interest of any other person or corporation, directly or indirectly, from delivering, receiving, or transmitting, and from being interested in, or aiding in any manner, the receiving, delivering, or transmitting by mail, telegraph, telephone, or other means whatever, in any State, district, country, Territory, or place over which the sovereignty of the United States of America now exists, any message, information, intelligence, letter, writing, card, device, sign, sym-

bol, cipher, or other thing whatsoever, the subject of the senses, or any of them, whereby intelligence or information may be conveyed or understood, relating to or in any manner or form concerning any transaction or proposed or suggested transaction, scheme, or plan to speculate or gamble, or gain or lose sums of money called "margins," which gains or losses, respectively, are made to depend upon the future increase or decrease of the market price of any product of the soil, provided that at the time of such transaction, proposed transaction, scheme, or plan for so speculating or gambling and such product of the soil be the subject of interstate commerce, or the subject of commerce from, or by and between, the people of the United States of America and the people of any foreign country.

HOUSE BILL REFERRED.

H. R. 22879. An act to amend an act entitled "An act to amend an act to authorize the city of St. Louis, a corporation organized under the laws of the State of Missouri, to construct a bridge across the Mississippi River," approved January 23, 1908, was read twice by its title and referred to the Committee on Commerce.

COLLECTION DISTRICTS IN OREGON.

Mr. BOURNE. I ask that Senate bill 6788 be laid before the Senate.

The VICE-PRESIDENT. The Chair lays before the Senate the bill (S. 6788) to amend sections 2586 and 2587 of the Revised Statutes of the United States, as amended by the acts of April 25, 1882, and August 28, 1890, returned from the House of Representatives in compliance with the request of the Senate.

Mr. BOURNE. I move to reconsider the votes by which the bill was ordered to a third reading and passed.

The motion to reconsider was agreed to.

Mr. BOURNE. I offer an amendment to the bill.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 2, beginning with line 16, strike out the following words:

North of the forty-fifth degree of north latitude to the north bank of the Columbia River and east to the one hundred and twenty-third degree of west longitude—

And in lieu thereof insert the following:

within the territory described as follows:

"Beginning at the summit of the Coast Mountains on the forty-fifth degree of north latitude, running thence west to the Pacific Ocean, thence north to where the north bank of the Columbia River intersects the Pacific Ocean, thence easterly and southerly along and including the north bank of the Columbia River to where 122° 46' 55" west longitude intersects 45° 51' north latitude, thence westerly to the summit of the Coast Mountains, thence southerly along the summit of said Coast Mountains to the place of beginning."

So as to read:

Third. The district of Astoria, to comprise all the waters and shores lying within the territory described as follows:

Beginning at the summit of the Coast Mountains on the forty-fifth degree, north latitude, running thence west to the Pacific Ocean, thence north to where the north bank of the Columbia River intersects the Pacific Ocean, thence easterly and southerly along and including the north bank of the Columbia River to where 122° 46' 55" west longitude intersects 45° 51' north latitude, thence westerly to the summit of the Coast Mountains, thence southerly along the summit of said Coast Mountains to the place of beginning, in which Astoria shall be the port of entry.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ST. PAUL BRIDGE AND TERMINAL RAILWAY COMPANY.

The VICE-PRESIDENT laid before the Senate the bill (S. 7777) to authorize the St. Paul Bridge and Terminal Railway Company to construct a bridge across the Mississippi River at or near St. Paul, Minn., returned from the House of Representatives in compliance with the request of the Senate.

Mr. CLAPP. I move to reconsider the votes by which the bill was ordered to a third reading and passed.

The motion to reconsider was agreed to.

Mr. CLAPP. I move that the bill be indefinitely postponed.

The motion was agreed to.

BUSINESS METHOD OF POST-OFFICE DEPARTMENT.

Mr. CARTER. I submit the final report of the Joint Commission on the Business Method of the Post-Office Department and the Postal Service, under the act of Congress approved March 2, 1907, accompanied by a draft of a proposed bill to codify, revise, and amend the postal laws of the United States recommended by the joint commission. I move that the report and draft of the proposed bill be referred to the Committee on Post-Offices and Post-Roads.

The motion was agreed to.

The bill (S. 7945) to codify, revise, and amend the postal laws of the United States was read twice by its title and referred to the Committee on Post-Offices and Post-Roads.

Mr. CARTER. In this connection I ask that 2,000 additional copies of the report and draft of the proposed bill be printed for the use of the Committee on Post-Offices and Post-Roads.

The VICE-PRESIDENT. Without objection, it is so ordered.

The order was reduced to writing and agreed to, as follows:
Resolved, That there be printed 2,000 additional copies of the bill (S. 7945) to codify, revise, and amend the postal laws of the United States, and report thereon, for the use of the Senate Committee on Post-Offices and Post-Roads.

BUSINESS ON SATURDAY.

Mr. ALDRICH. I now renew the request I made a moment since, that there be an understanding that no business, aside from routine morning business, shall be transacted at the session of the Senate on Saturday.

The VICE-PRESIDENT. The Senator from Rhode Island requests that no business be transacted at the session of the Senate on Saturday next, excepting routine morning business. Is there objection?

Mr. FULTON. I understand that will not preclude the making of committee reports.

Mr. ALDRICH. Oh, no.

Mr. FULTON. I am especially careful to have that reservation made, and I understand it has been made. I exercise this care because I am confident that the chairman of the Committee on Interstate Commerce is very industriously at work preparing a report on Senate bill No. 423, which was referred to his committee in the early part of the last session. During the late hours of the last session he very earnestly expressed his desire and affirmed his intention to report the bill before the adjournment this session for the holidays.

I am in deep sympathy with the Senator, because I know he has been laboring very earnestly to get up a report, and has found some difficulty in framing it just as he wants it. I have no doubt he will shortly solve the difficulties and will be here Saturday early asking leave to submit the report. It would be a bitter disappointment to him were he prevented from so doing by an oversight in the order now proposed.

Mr. LODGE. Saturday will be the last opportunity before the holidays.

Mr. FULTON. Saturday will be the last opportunity before the holidays, and, of course, it can not possibly be assumed or presumed that the Senator will fail to make the report at that time.

The VICE-PRESIDENT. Without objection, the request of the Senator from Rhode Island is agreed to.

POSTAL SAVINGS BANKS.

Mr. CARTER. I ask that the unfinished business be laid before the Senate.

The VICE-PRESIDENT. The Senator from Montana moves that the Senate proceed to the consideration of the bill (S. 6484) to establish postal savings banks for depositing savings at interest, with the security of the Government for repayment thereof, and for other purposes.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill.

Mr. BURKETT. Mr. President, it had not been my intention, I will say to the Senate, to occupy any time in a general discussion of this postal savings bank subject. I had rather expected to confine my remarks to some special provisions in the bill when it came up for final hearing. I will say I had also hoped that this bill might have passed to final consideration and passage before the holidays. But it seems from circumstances that we will not be able to get a final consideration before our adjournment for the holidays, and I desire therefore to speak this morning generally upon the subject.

I want to say in the beginning that I am not a recent convert, and that I speak as one long since persuaded of the advisability of such legislation, and as one who has already taken interest enough in the subject to prepare and introduce a bill at the last session of Congress, and also as one who took some part in securing a day certain for its consideration.

I also want to remind the Republicans of this body that we are each of us pledged to the American people by our last national platform, as well as by every speaker who went upon the stump in the recent campaign, to enact this legislation.

I had the honor, as did a good many Senators on the Republican side, to be a delegate to that convention and of helping to adopt that platform, and upon a hundred occasions I assured my hearers that this Republican pledge would be fulfilled.

Therefore I am true to my own convictions, I am true to my party's pledges, and I am true to the confidence which the American people reposed in us when I speak this morning in support of the pending bill.

In my opinion, Mr. President, we ought to enact this legislation without much of delay. We ought not to juggle with the

confidence of the American people, so recently and so universally reposed in us as a party. We ought not, by procrastination, to exasperate the American people with the idea already too prevalent, let me say, that there are influences more potent and more controlling in legislation than the interests of the great mass of the people.

Whatever may be Senators' idea as to the effect of this legislation upon those within their own small circle of friends, no Senator can be blind to the efficacy of it and the desirability of it to the untold thousands of Americans without the domain of legislative influence other than the ballot of American citizenship.

I speak thus because we are all creatures of environment, more or less, and our personal contact with men may restrict our views to the interests of the few we know or the few who write to us upon the subject. But Senators should remember that beyond the few they know are the many they do not know, and beyond the comparatively few in number, and even more limited in the diversification of interests, who have written to them upon the subject, are the untold millions of Americans who have never written, who would not know how to write, and who would not have the courage, perhaps, to write to a United States Senator upon this or any other subject.

Those are the people that this legislation is for, and those people, I say, have never been heard from. Those people may have thought of this subject and they may have not. They may have thought favorably of it and they may have never thought of it at all. But there is not a Senator here who has followed the course of the history of savings banks in this country and of postal savings banks in other countries but must be persuaded of the value of the one and of the greater value of the other.

I am going to speak plainly here this morning. I understand—although I know no good reason for it—that there is a determination about the Senate Chamber to delay, with the possible hope of ultimately defeating, the consideration of this bill. I say I do not understand why, because it is legislation so long considered, so universally desired, and yet so long delayed, that, in my opinion, there can be no reasonable excuse for dilatory tactics to prevent its coming to a vote. The American people want it and, in my opinion, the emergencies of these times demand its enactment. So I can say that it is both popular in esteem and it is potential for good.

Of course sometimes we hear that the subject has not had consideration. Each of us within the last few days has had handed to us a very strong speech made against the postal savings proposition.

One of the criticisms in that speech is that it has never been considered, that it has been foisted onto the American Congress at this time by theorists, and that it is an untried venture. In fact, a member of this body said to me the other day, "Nobody has even considered this subject at all," and when I made the reply to him that we had already had some Senate reports heretofore he questioned the statement that it had ever been considered and was very certain that no report had ever been made before. And yet there have been two favorable Senate reports and none unfavorable. The House of Representatives has considered the subject, and their committee reported favorably upon it in times past. I find that three or four or half a dozen Presidents have recommended it in their messages. Every Postmaster-General has recommended it for almost twenty years. In addition to that, let me say that in 1897 the United States Senate itself took action in the matter and passed a resolution asking the Secretary of State to call upon our consular officers in foreign countries to report upon the result of postal savings banks operations there. Those investigations were made, and I have the Secretary's report this morning—over 300 pages. It was printed as a Senate document in 1898 and is a history of the working of the postal savings system in other countries up to that time.

Not only that, but away back in Blaine's time the Senate passed a similar resolution, and Mr. Blaine, as Secretary of State, sent to all of our consular officers abroad and got reports upon the operation of the postal savings system in other countries.

There have been 73 bills introduced in the Senate and the House. I find on looking up the matter 15 consular reports, separate from those that I refer to, contain articles upon the operation of the postal savings system in other countries. I also find 57 separate and distinct articles in the current magazines in the last half dozen years.

So I say it is not a new subject that has not been considered, and that the people are not concerned in, because I undertake to say that there has not been any matter of legislation that has received more universal attention than has the subject of the postal savings system.

I have observed in my short career as a member of this body that when any new legislation is contemplated it is met first with the doubt and fear as to its constitutionality, and second with the criticism that it is visionary in its inception and socialistic in its tendency.

I realize, of course, that any legislation which undertakes to have the Government do anything for the people is both visionary and revolutionary in the minds of some people, but I am glad to say that those people have never been able to control the Republican party for any great length of time, nor to handicap the American Congress in its course of progressive legislation. We all recall that the meat-inspection bill of a year or two ago was both revolutionary and unconstitutional in the minds of some people, but it is doing very successful and very satisfactory business, notwithstanding the somewhat of a handicap it labored under at the beginning, as beyond the pale of legitimate and honest legislation. The child-labor question has had to run that same gantlet.

Mr. BORAH. Mr. President—

The VICE-PRESIDENT. Does the Senator from Nebraska yield to the Senator from Idaho?

Mr. BURKETT. I do.

Mr. BORAH. As the Senator from Nebraska is suggesting something about the constitutional feature of this bill, I should like to ask the Senator if he thinks it is within the power of Congress to enter within the domain of a State and control the domestic relations of the State with reference to the exemptions which should prevail, and with reference to the taxation of property and the exemption from payment of debts and of garnishee, as this bill purports to do? Can not that be better left to the States?

Mr. BURKETT. I will say, Mr. President, in response to that that I have not myself any doubt upon that proposition. I will also say to the Senator, as I said in the beginning, that it is not my intention to-day to go into any details as to the sections which I understand are to be the disputed sections. Section 10 provides as to exemptions from taxation and from garnishment and attachment. Perhaps that matter ought to receive consideration at the time when it is up especially for consideration.

I want to say, however, Mr. President, that the Senator's question only illustrates what we always have to contend with when we undertake to enact any legislation of this sort.

Senators can remember that it took almost a decade of time and almost a new generation of men to determine in this country that it was not unconstitutional for the American people to have pure food and pure drugs. For a hundred years the wise men of the past, statesmen and philosophers, respected more their vague and technical interpretation of the Constitution and their worm-eaten and antiquated ideas of governmental functions than their own health and happiness. I suspect when they partook of their frugal repast—as Senators' repasts always are, of rye bread and filled cheese, with oleomargarine for butter and clover seed and gelatin for strawberry jam—they comforted themselves with the hallucination that they were martyrs to the perpetuity of the Republic and the eternal luster of "Old Glory." For all these years this legislation has met with the same contention, the same doubt, the same fear somewhere that we might perhaps overstep the boundaries of our legitimate functions or of our powers and prerogatives.

It took fifteen years of patient and persistent endeavor to make some men believe that it would neither wreck the Republic nor ruin the railroads for Uncle Sam to take a hand in the legitimate control of our great transportation companies; and yet one objection after another has melted away, until to-day everybody wonders who it was that objected. Within a week we have seen in the public press the address of one of the great railway magnates in this country complimenting the Congress upon the legislation that it has enacted. When the resumption of specie payment—

Mr. RAYNER. Will the Senator from Nebraska allow me to ask him a question?

The VICE-PRESIDENT. Does the Senator from Nebraska yield to the Senator from Maryland?

Mr. BURKETT. Certainly.

Mr. RAYNER. Mr. President, I do not know whether I am in favor of this bill or opposed to it. The trouble I have about it is this: You will admit that we must put this bill under some clause of the Constitution—I believe that is admitted—and that if we can incorporate postal savings banks they must come under some clause of the Constitution. Now, what clause of the Constitution is it under which this legislation is proposed?

Mr. BURKETT. I will say, in response to the Senator's inquiry, that I expect to refer briefly to that a little later on, but I think the general-welfare clause would cover it.

Mr. RAYNER. Oh, the general-welfare clause would cover everything on earth. I am aware of that.

Mr. BURKETT. Well, it has covered a good many things, I will say to the Senator.

Mr. RAYNER. Is that the proposition? You do not put it under the clause to establish post-offices and post-roads, for it is hardly possible that we could turn a post-office into a bank; you do not put it under the clause giving the power to coin money and to regulate the value thereof; but this bill is put under the general-welfare clause of the Constitution. Some of us want to understand that, because we do not believe—I certainly do not believe—that the general-welfare clause means anything in the world, and I do not think the Supreme Court of the United States has ever said that it does.

Mr. BURKETT. Well, Mr. President, I will say that we may have some apprehension as to our power to start a bank under the Post-Office Department, but I think we have stretched our power to that extent. We are even to-day selling money orders and charging exchange for them. We have carried freight; we have done a messenger business, and are doing a messenger business. We have subsidized railroads and steamship lines; we are developing commerce; we have opened up the frontier under the little section of the Constitution providing that "Congress shall have power to establish post-offices and post-roads." Let me say, if we can not stretch that clause, there is that other clause that we shall be able to rely upon; under the general-welfare clause the Government by eminent domain acquired the battlefield of Gettysburg for park purposes. If it can be used there, I think we can safely rely upon it now, even though we may not have the power under the limitations of the clause with reference to establishing post-offices and post-roads.

I have seen Congress, or a part of it, apprehensive before, and that is why I have called attention to the meat-inspection bill and the rate bill in this connection. I have spoken as I have for the consolation of those really honest but timid souls who would rather offend the interests of all the people and the common sense of all the world than to offend their own theoretical and shelf-worn interpretation of governmental function. I have an optimistic notion that the world will finally become so practical that most men will be able to see that ideas expand as the years go by, and that our most profound convictions under to-day's environments may become our own jest on the morrow. But more particularly I have spoken of the development of governmental function for the sake of that other class of people always attendant at times like these, and who, less disturbed by conviction, are none the less persistent in projecting their ideas of function and power into every discussion of this sort.

Now, so far as the Constitution is concerned, I revere it, as every American citizen ought to revere it, as an instrument essentially for the protection of the people's rights, rather than for the curtailment of their opportunities and their possibilities. A written constitution was an experiment, we know, and there are strong men in the land to-day who believe that it must be enlarged very rapidly by interpretation or abandoned altogether under the strain of industrial development and the progress of human ingenuity. Within a month I have heard a Judge of a United States court express the belief that it would have been better, as in England, never to have had a written Constitution, that we might never have been handicapped by the uncertain and the outgrown interpretation of written words, rather than directed by the necessities of the age, in the spirit of formula and precedent.

But however that may be, let me say that I am not disturbed by any fear of lack of power that we may have to enact this legislation. As I replied to the Senator from Maryland [Mr. RAYNER], the general-welfare clause has been too liberally interpreted and too often relied upon to sustain necessary legislation for the good of the people to halt us at this particular time and in this particular legislation. When I recall, as I said, that that clause gave the Government the power to acquire the battlefield of Gettysburg by eminent domain, a thing perhaps furthest removed from the contemplation of those who framed the Constitution, and that perhaps it has been relied upon for the relief that we have extended to peoples beyond our own boundaries, I have no fear but what it will justify us in enacting this legislation at this particular time for the welfare of our own people.

Surely it is no further from the authority of the written word of the Constitution to pay interest on deposits of the people's money than it is to pay interest on bonded indebtedness if both dollars perform the same function for the Government. It is no further from governmental function to receive deposits than it is to pay exchange. The Post-Office Department to-day is doing a score of things beyond the strictly legitimate function

of a post-office, to establish which only is Congress given authority in the words of the Constitution. Congress was given power under the Constitution to establish post-offices and post-roads, but to-day the post-office is doing a money-order business and charging exchange in competition with individual enterprise.

As I said a moment ago also, it is not only doing that, but under that single line of the Constitution the Post-Office Department to-day is carrying freight and doing a messenger business. It has subsidized railroads and steamship lines, and thus has developed commerce and opened up the frontier.

Let me say also that I am not dismayed by the uncertainty of the undertaking nor alarmed by its impracticability.

This is not a new venture, whose untrod paths should appall us, for practically every important nation on earth except the United States and one other has a postal savings system now in operation. Old England pioneered the way, and in 1861 brushed aside the obstacles and overcame many, I think I may say all, of the arguments that have been made against this legislation here and throughout the country.

I have been interested in reading recently a little musty old volume entitled "Lewins's History of Savings Banks" to find that more than half a century ago there was arrayed against postal savings banks in England identically the same interests—notice it—identically the same interests, and fighting with identically the same weapons and the same arguments that we have had to meet here in America in the progress of this legislation. Some people at the time that legislation was enacted there opposed it because they thought the people employed in the post-office department would not be competent for the work. Others opposed it for fear that it would raise up an institution of so gigantic proportions that it would have very important and very deleterious results upon the commerce and industries of the country. Others were afraid that it would not only absorb all the future deposits, but that it would absorb all the deposits in existing banks.

I remember another member of the House of Lords opposed it because he said it never could take root in the smaller places. There is an anomaly—one man opposing it for fear it would absorb all the deposits, another man opposing it for fear that it would never take root at all. Some opposed it on the ground of expense. Others opposed it because they wanted to keep the banking of the people separate from the National Treasury. Some objected to it for fear that the people would not be satisfied with the interest allowed and that in response to a popular demand the rates would be raised until it would interfere with existing establishments and entail a large expense on the people. Some had misgivings that it would put the Government to operating on the stock market. Some thought it unwise to establish new banks on the deficiencies of the old banks, and that it would be better to improve the old system than to create a new system, and referred to the old system of banks as the glory of England that all Europe had emulated.

Others opposed it, just as some are opposing it in this country, on the theory that it would be too centralizing in its effects and that it would tend to drain all the money out of certain localities. One member of the House of Lords, after it was found that the bill would certainly pass, offered an amendment that would restrict the new postal savings banks only to those localities where a bank did not already exist.

In it all there was apparently but one motive, and running through all the pages and volumes of speeches that were made against that legislation of England fifty years ago, one can not help but observe that there was but one real objection. William E. Gladstone, as was said by the Senator from Montana [Mr. CARTER] the other day, was leading that discussion, and he was master of the situation. Great mind that he had, he separated the kernel from the chaff, and tersely and effectively he drove home the argument that obliterated every objection and quieted for all time, so far as old England was concerned, every objector. After days of debate, of fear and frenzy, of misgivings and apprehension, Gladstone replied. He said he did not know whether the new banks would be injurious to the old banks or not; but if they should be, it would be only because the new banks would be the safest and the best. I am not so much concerned, said Mr. Gladstone, about supplying competition for the old banks as I am about supplying facilities that do not now exist.

So again I say this is not a new venture, uncertain in results and unvouched for by experiment. We are not embarrassed by possible or threatened industrial and financial revolution, for other nations have tried it. As was said here yesterday by some one, twenty-six nations have adopted a system of postal savings banks. England and Wales and Austria and Belgium, France and Hungary and Ireland and Italy and India, the Netherlands, New Zealand, Scotland, Sweden, and

Russia and Japan have all adopted a postal savings bank system, and the United States and Germany only are without it, and, as was explained yesterday by the Senator from Montana, if I recollect aright, Germany, under her system, meets practically the same needs that this system is intended to meet.

Mr. HEYBURN. Mr. President—

The VICE-PRESIDENT. Does the Senator from Nebraska yield to the Senator from Idaho?

Mr. BURKETT. I do.

Mr. HEYBURN. I take it that the Senator will not object to a question intended to develop the idea which he has just presented in his remarks. Is there any country in the world where the government hires money for the purpose of rehiring it out?

Mr. BURKETT. There is not, Mr. President.

Mr. HEYBURN. Where it takes in money under a contract to pay for the use of it in order that it may loan it at interest to some person?

Mr. BURKETT. I understand, Mr. President, that is an objection that may be raised. Now, if the Congress does not want to dispose of this money in the way provided by the bill, let somebody suggest a better way to dispose of it. Other countries carry their floating indebtedness with the people's money. Their indebtedness represents not only what our federal indebtedness represents, but also what our state indebtedness represents. I imagine that it is not a violation of the proprieties in the matter for us to take up the state bonds and, in addition, whatever national bonds we may want to take up, with this deposit of the people, to carry state indebtedness; and instead of the States in the future paying 4 and 5 per cent interest for their money they might use the people's money, if we chose to take up the state bonds and the state indebtedness, instead of loaning this to the banks at 2½ per cent; and the people would then furnish the money for the state indebtedness, just as the people in foreign countries are furnishing it for their national indebtedness.

Mr. HEYBURN. Mr. President—

The VICE-PRESIDENT. Does the Senator from Nebraska yield further to the Senator from Idaho?

Mr. BURKETT. I do.

Mr. HEYBURN. I will ask the Senator whether or not, in his judgment, it is the function of the Government at all to borrow the money of the people and loan it to the States or municipal corporations? I should like to say, in connection with that, that I do not make the suggestion as one opposed to legislation upon this subject, but merely for the purpose of testing the measure under consideration.

Mr. BURKETT. Well, Mr. President, some States—not every State, but some States—are to-day raising money by taxes and loaning it to other States in this Union without any specific provision in their constitutions one way or the other on that point, and they are doing that in the State where I live. The State in which I live has money loaned to half a dozen of the other States of this Union to-day that has been collected from the people of our State. Now, sir, if it is a proper governmental function to receive the people's deposits and use them to carry the national debt in 26 other nations of this world, it is not going any further in this country, organized, as we are, with a dual system, to use the money of the people deposited in postal savings banks to carry the indebtedness of the several States of this Union.

Mr. HOPKINS. Mr. President—

The VICE-PRESIDENT. Does the Senator from Nebraska yield to the Senator from Illinois?

Mr. BURKETT. I do.

Mr. HOPKINS. The statement the Senator from Nebraska has just made strikes me as a little remarkable—that is, that the State of Nebraska collects money by taxation from the citizens of that State for the purpose of loaning it out to the people of other States or to other States. I want to ask the Senator on that point for information—

Mr. BURKETT. Did the Senator understand me to say that?

Mr. HOPKINS. That is the way I understood the Senator.

Mr. BURKETT. Then I will withdraw that. The State of Nebraska does not tax the people for the purpose of loaning the money to other States.

Mr. HOPKINS. What is the character of the loan, I would ask?

Mr. BURKETT. We buy the bonds of other States with the money in our treasury—

Mr. HOPKINS. Oh, yes.

Mr. BURKETT. With our surplus in the treasury that is put there for school purposes.

Mr. HOPKINS. Then the assessment and collection of money is not for the purpose of making these loans?

Mr. BURKETT. Certainly not.

Mr. HOPKINS. Where you have money in the state treasury, in order to keep that money active and increasing in value you buy the bonds of other States?

Mr. BURKETT. Yes. The object is to keep our schools going. The object of this bill is to furnish a safe depository for the people and to do something with the money. I simply stated that it was no further a stretch of governmental function or governmental power to loan that money to the Federal Government or to the States to carry their bonds than it was for one State with the money that it collected from the taxation of its people to loan it to another State. But I did not intend to say that Nebraska assessed her people for the sake of loaning money to the people of other States. That was not my intention.

Mr. FLINT. Mr. President—

The VICE-PRESIDENT. Does the Senator from Nebraska yield to the Senator from California?

Mr. BURKETT. I do.

Mr. FLINT. I will simply state that to-day the Government is collecting money by taxation, depositing it in banks, and receiving interest for it just as is provided for under this bill.

Mr. HEYBURN. Mr. President, with the permission of the Senator from Nebraska—

The VICE-PRESIDENT. Does the Senator from Nebraska yield to the Senator from Idaho?

Mr. BURKETT. I do.

Mr. HEYBURN. Is there now, or has there been, any instance where the Government borrowed money and loaned it out at interest?

Mr. FLINT. If the Senator from Nebraska will permit me—

The VICE-PRESIDENT. Does the Senator from Nebraska yield to the Senator from California?

Mr. BURKETT. Yes; certainly.

Mr. FLINT. The Government, as a matter of fact, as the Senator well knows, has not borrowed money to loan it out, but has collected money by taxation that is now in the Treasury and deposited in national banks, and receives interest for that money, just as provided by this bill.

Mr. HEYBURN. But it pays no interest on the money for its use. The money came through the ordinary channels of revenue. What I was seeking to have illustrated by the remarks of the Senator from Nebraska was the manner of handling this money after it had been borrowed under a contract to pay interest to the people. That is rather an embarrassing question in the consideration of the bill now before the Senate, because, in answer to my first inquiry, the Senator admitted that no country in the world had undertaken to do such a thing. I had not brought it down to our own country, but because of the remarks of the Senator from California I was enabled to ask a question, which I deemed pertinent, as to whether this country had ever borrowed money under a contract to pay for its use and then loaned it out under a contract to receive interest.

Mr. BURKETT. Does the Senator put that to me as a question, or was his statement in reply to the Senator from California [Mr. FLINT]?

Mr. HEYBURN. The Senator from Nebraska may answer it or not, but the Senator from California did answer it. He admitted that within his knowledge the Government had not done so. The question, of course, is submitted to the Senator from Nebraska for the consideration that he sees fit to give it.

Mr. BURKETT. I know of no occasion when the Government has borrowed money for the purpose of loaning it out to somebody else. It may have loaned some money that it had borrowed for other purposes, but I do not know of any such case.

Mr. HEYBURN. Mr. President, if the Senator will permit me, I will ask whether or not there is any provision in this bill, as he reads it and interprets it, that would suggest that the Government receive this money for any other purpose than for the purpose of reloaning it? Is there any provision in this bill that contemplates that the Government may for its own purposes use a cent of the money received from depositors in proposed postal savings banks?

Mr. BURKETT. I think there is in this bill a section that provides for the Postmaster-General buying bonds and taking up part of the national indebtedness, if he chooses to do so, but there was in a bill which I introduced—

Mr. HEYBURN. That is an alternative proposition.

Mr. BURKETT. Yes.

Mr. CARTER. Mr. President—

The VICE-PRESIDENT. Does the Senator from Nebraska yield to the Senator from Montana?

Mr. BURKETT. Certainly.

Mr. CARTER. Mr. President, the bill as reported does not contain the provision to which the Senator from Nebraska refers. The investment in securities of the United States is not contemplated. The funds are to be deposited, as the Senator has just stated, in the neighborhood where received, in the national banks. The provision referred to by the Senator from Nebraska is, as aptly suggested, a mere alternative proposition. In the event of the banks refusing to accept the deposits at the rate of interest provided by law, the Postmaster-General, upon the advice of the Secretary of the Treasury and the Attorney-General, may invest not in United States bonds, but in the bonds of States, municipalities, counties, and so forth.

Mr. HEYBURN. Loan money to States and municipalities?

Mr. CARTER. I doubt if that is the loaning of money in the sense which the Senator puts the statement. It is the buying of securities in the open market for temporary investment in order to obtain interest equivalent to that paid the depositor, plus the cost of administration. The bonds would be disposed of in order to get the money with which to pay the depositor, and would be a temporary investment.

Mr. BURKETT. Mr. President, there was in the bill which I introduced a provision authorizing the Postmaster-General, if the banks failed to take these deposits, to buy national, state, and municipal bonds; but I will say to the Senator that there never was any supposition from the beginning that there was any field of investment of sufficient extent to be worthy of the consideration of national bonds.

Mr. CARTER. I will suggest that the committee, in considering the advisability of authorizing the investment in United States bonds, met with a proposition that had been early urged, to the effect that the postal savings system would tend to cripple the banking institutions of the country. It never was the intention to so frame a bill as to do aught else than provide facilities to enable the people to save small sums. The widely extended arm of the Postal Service seemed to furnish the machinery to accomplish this purpose. If United States bonds should become the investment for the funds, it can readily be perceived that all the bonds needed for the basis of circulation of national banks might soon become absorbed as investments for the Post-Office Department funds, and thus, by indirection, the national banking currency would be practically retired. We avoided any provision looking to investment in United States bonds for the reasons stated.

Then, of course, another reason, obvious on the face of the market quotations, is that the amount of interest drawn by United States bonds, considering the premiums paid, would not suffice to pay the rate of interest which we allow to the depositor.

Mr. BURKETT. Mr. President, I shall get back to the Senator's original question, as to whether or not any other country has done this thing. I will say that his question was properly put, because I had referred to the fact and enumerated the other nations that have this system of postal savings banks. But, Mr. President, when I recited the number of nations that have postal savings systems in operation, I did not want to be understood as basing the advisability of our action upon the apparent success alone of similar experiments in other countries. My ten years of public service and somewhat of study, I will say to the Senator, of comparative conditions in this and other lands has made me fully to appreciate that things which are traditional in some countries would be revolutionary here. Because England or Switzerland or New Zealand has done some things with apparent success and with beneficial results I realize full well is no absolute certainty that we can do them here with equal success or even with equal propriety. I am mindful of the great extent of our territory, of the unequal distribution of our population and wealth, and of the great diversity of our industries. Neither am I unmindful, I will say, of the consideration that we owe to private enterprise and private capital which, responding to American ideals and American institutions and traditions, is already invested along similar lines.

I realize, too—and some Senators have called attention to the fact—that this legislation is not of the same importance to some sections of the country that it is to other sections of the country. I am also fully cognizant of the hesitancy of the American people of all parties and all creeds to enter the Government as a competitor with its individuals in industrial and commercial pursuits; in fact, I am one of those persons who believe that the less the Government does directly in trade and commerce the better it is for our development, both as individuals and as a nation. Theoretically the doctrine of the

old school of statesmen was correct, "that nothing should be done by the General Government that the local governments could do, and nothing by any government that individuals could do for themselves."

But, practically speaking, we have long since outlived that doctrine, and at most we have only adhered to it in each instance within the limitations of a very loose interpretation of governmental functions after the interpolation of the words "as well." And a reasonably strict constructionist of governmental function and governmental prerogative to-day finds himself restricting the Government from doing those things only that state governments can do "as well" and eliminating all governments only when individuals can do them "as well." And between that strict constructionist's "as well" and the most liberal constructionist's extreme interpretation that all things are proper governmental functions unless individuals can do them better, the shuttlecock of legislation has traveled for 10 these hundred years.

So, whatever misgivings other Senators may have as to the propriety of this legislation, I have brushed them all aside with a consciousness of public duty; and whatever objections there may be as to expediency is overcome, it seems to me, by the facts of necessity that present themselves.

Mr. HEYBURN. If it will not embarrass the Senator from Nebraska—

Mr. BURKETT. It does not embarrass me. I was going to explain what I meant.

Mr. HEYBURN. It was to what the Senator had said that I desired to direct my remarks and to make a suggestion. What objection is there to receiving this money by the Government without the Government assuming any obligation to pay interest. If the purpose is to promote frugality and business thrift, why would it not be better promoted by making as slight as possible the inducement to allow these deposits to remain with the Government, the Government receiving the money at the post-offices under no contract to pay interest, and letting the money go back into the hands of the individual as soon as the individual can find use for it? What necessity is there in the spirit of this legislation that the Government should contract to pay interest on the money?

Mr. BURKETT. That is a matter of detail. Congress can pay 2 or 2½ per cent, or whatever rate it pleases, or nothing at all. I think we ought to pay about 2 or 2½ per cent. I would not quarrel if it was 1 per cent. I would not vote against the bill if the Government decided to pay no interest.

Mr. HEYBURN. Why should the Government, under any circumstances, borrow money for somebody else and pay interest on it?

Mr. BURKETT. I will say we are not borrowing money. That is not the object of the bill.

Mr. HEYBURN. It is the result.

Mr. BURKETT. It is to help the frugal, industrious man, the man who has insufficient means to undertake a business proposition.

To-day from one end of the country to the other there is an agitation for safer banking. The deposits are unsteady and the loans are uncertain. We know it. The banker is nervous, and the borrower is without that assurance that makes for a stable business. When discounts are most needed, then the deposits are most liable to be reduced. When the banker least wishes to see his depositors, they loom up before the paying teller in greatest numbers.

Mr. BORAH. Mr. President—

The VICE-PRESIDENT. Does the Senator from Nebraska yield to the Senator from Idaho?

Mr. BURKETT. Certainly.

Mr. BORAH. I should like to ask the Senator from Nebraska a question. It is proposed that the Government shall accept this money from the citizen and pay him 2 per cent, and turn about and loan it to the banks at 2½ per cent. What is the difference in principle between that and the guaranty of bank deposits of which we heard a good deal in the last campaign?

Mr. BURKETT. I will get to the guaranty of bank deposits in about two minutes, if the Senator will wait that long. I will say that the speech which some Senators like to quote to us in favor of this proposition comes from a man who advocated the guaranty of bank deposits a year or so ago.

Mr. BORAH rose.

Mr. BURKETT. I will not insinuate that all Senators who are questioning me here to-day advocate the guaranty of bank deposits.

Mr. BORAH. I am very frank to say that I have advocated the guaranty of bank deposits, and I am very glad that a majority of those who have opposed it are now coming around to that view, as presented in the proposition in this bill.

Mr. BURKETT. When the Senator interrupted, he asked me to make a later part of my speech first. I want to try to make it as I have it outlined on this paper, if I can. I have my topics arranged, and I should like to present them in the order in which I have them if the Senator does not seriously object, and if he will wait until I can get to that point I shall state my views upon it.

I have heard it said that it was the ignorance of bank depositors representing small deposits which has precipitated most of the bank runs. Perhaps every Senator has heard that statement. But I have thought, as I have heard it stated, that if they are ignorant, it is, perhaps, because their interests are so small in comparison with the great institutions with which they are dealing that it is never given them to know the real condition of the institution, and if they are nervous it is because their deposit, though small, is their all. It represents their toil and their sacrifice and their industry and their frugality. It means for them fuel for the coming winter, medicine when sick, and necessities of life when temporarily out of employment.

It is for that class of people, let me say, that this legislation is intended. Yea, it is for the many more who might be in their class if they were only provided with better opportunities and better inducements to practice frugality. It is this class of people—who can not know about the bank's assets and who could not judge of them if they did—that make the enormous crowds and clamor loudest at the bank run. They start the whirlpool into which has gone to destruction many a bank that otherwise might have withstood the storm and stress of the times. Upon them demagogues flourish and into their ears the money quack pours most successfully his vicious nostrums for all banking and currency troubles. They are easy picking, because unlearned in the science they are more sensitive of their risk.

If this legislation has no other merit, it would at least relieve the commercial banks from the dangers of their nervousness.

Mr. BORAH. Do I understand the Senator from Nebraska to say that the greater nervousness is upon the part of the small depositors, rather than the large depositors?

Mr. BURKETT. I do not know what the Senator understood me to say. I undertook to quote the statements of a banker, that most bank runs have been precipitated by the nervousness of the smaller depositors.

Mr. BORAH. I should like to see proof in support of that statement. I do not believe it is true. So far as the large runs have been concerned, they have been started by the class of men that you speak of as the educated business men. The small depositor has only become excited after the start has been made by those who have large deposits.

Mr. BURKETT. I will not leave it that way, because it would not be fair to them nor true to fact, I will say to the Senator, to leave the impression that they are all who are clamoring for safer banking. Business men everywhere want safer banking. The bankers themselves want safer banking. They call it steadier banking, or more elastic banking perhaps, but from one end of the country to the other they are clamoring for a change in our banking and currency system to-day. The remedies which have been suggested have varied all the way from government guaranty of all deposits of the man who deposits only to the central bank of issue of the man who only uses money.

Mr. CARTER. I am aware of the desire of the Senator from Idaho to be exact at all times, and therefore I rise to request him to ascertain, on reflection, whether he would not like to change the statement he has just made. The question is somewhat academic and speculative, I understand.

The discussion was proceeding with a view to determining, if possible, the cause of runs or panics in connection with banks. The Senator from Idaho suggested that the runs were generally started by large depositors. I rather think he meant to say the runs were started by the failure to pay sums of money due. It is the failure of the individual who has an obligation to find the deposit to meet it. Runs, of course, are precipitated, not by large deposits, but by failure on the part of the institution in which deposits are made to meet demands upon it.

Mr. BORAH. I am under great obligation to the Senator from Montana for suggesting a more precise use of language, but I do not care to change the fact. I maintain still that it was the steadiness and the stability of judgment of the small depositors in this country which saved the financial panic of 1907 from becoming much larger than it was. It was the disturbance created by the large depositors which started the panic, and it was the patriotism, as you may say, of the small depositors in leaving their money there still that helped to stop the run.

I am aware of the fact that the real crisis is reached at the time when payment can not be made; but the start of the run is before the payment is asked for, because they do not refuse to pay until somebody appears there and asks for payment; and when they refuse to pay, then the crisis begins. But the run has begun before that.

Mr. CARTER. Mr. President, the panic of 1907 was quite unique. It was essentially a bankers' panic. It originated in the midst of the greatest financial career of the Western Hemisphere, and it was regarded throughout as a bankers' panic. Its fear and apprehensions never reached the remote sections of the country or the average depositor. It is unhappily true that all the money of the country—for the time being deposited in the depositories of great financial centers—was suddenly impounded, payments refused, the national banking law disregarded, and a situation existed which might well have brought calamity to the entire country. But, as the Senator well says, the panic was not of the disastrous kind so far as the body of the people was concerned, because it did not start with them. The most disastrous panic is that which originates in the steady, continuous withdrawal of money by the small depositor of the country, where the fever is widespread or universal.

Mr. BORAH. I agree with the Senator. It was a bankers' panic. That is the only kind we have during a Republican administration. But I want to say further that the panic was not precipitated by the people, and it stopped only when it got to them.

Mr. BURKETT. Whoever may have been responsible for that panic, whether it was the small depositor or the large depositor, we all agree as a result that from it there has been a flood of proposed legislation presented to Congress. I think I would not be overstating the fact if I said that within the last two years there have been more than twenty separate and distinct propositions for new banking systems in the United States presented, and, in addition to that, there are blends and combinations too numerous to mention. In my opinion most of them will fail to completely satisfy, because they entirely eliminate the great classes of depositors that this bill is intended to provide for. These depositors are not worrying about distributing money, but about saving it. The controlling thought of most of these proposed banking systems is the purposes of business.

The idea that dominates in them is to provide money in abundance when needed and to reduce it when not needed, so that it will answer the call of the West when the golden grain of the autumn time is ready for market, as well as the alluring song of the East when interest rates go up. That is the call of commerce, and is commercial banking; but I submit that it entirely overlooks the struggling toiler of hand and head, the frugal, industrious, and self-sacrificing depositor, whose only anxiety is that the dollar he saves is safe and that what he deposits shall be returned unto him even in the days of iniquity, when the shadows of adversity encompass him about. That is the great proposition.

On the other hand, the guaranty of bank deposits will not meet this proposition entirely as I see it, for the reason that it fails to recognize any difference among depositors.

The guaranty of bank deposits plan puts side by side the man who deposits money and the man who deposits his promissory note; the man who deposits for safety and the man who deposits for commercial purposes, impressed with all the risk and assured of all the profits that come from it. So I insist that as legislators we must recognize a difference between the savings account of "Willing Worker" and "Industrious Frugality" and the commercial account of the drivers of industry whose deposits are limited only by their credit and whose business relation with their bank forms only a part of the great speculation of life in which they are engaged.

If I have made my point clear as to the distinction between the two deposits, then I insist that the governmental function is different as between the savings depositor and the commercial depositor. A savings bank is not for the purpose of helping men to make money, but to encourage them to save it, and safety is the sine qua non. The commercial bank is for the purposes of trade, and must respond quickly to business needs and can not be hedged about by the slow and rigid rules of absolute certainty.

In its use there is possibility and risk, and the man who deals with it must do it always in the knowledge that he does it for his own aggrandizement and therefore at his own peril. The very nature of a savings bank makes it a legitimate field for governmental interference. It is a helping hand for the man without means, unacquainted with the business, profligate, and timorous, until he has acquired a sufficient sum to make an investment. His deposit is small, but the total possessions of the depositor. It is small in amount, but represents real toil and

sacrifices. Its loss means more to him than the larger amount of the larger depositor. Its loss means to him financial ruin, mental anguish, perpetual discouragement, everlasting poverty, and public charity in declining years.

The great struggle of the ages has been to stimulate thrift among men. Nations have been strongest as their people have been thrifty. A government can afford always to stretch a little its effort to help the people to become self-sustaining, for that is far better than that they should be publicly sustained. To my mind, no nobler object ever appealed to any nation for consideration, and no more appropriate function of government ever called for legislation.

The whole world, as has been stated repeatedly, has responded, and the generations of men and the annals of nations testify to its wisdom. The question is, Shall we in America delay longer? Shall we in this proud Republic, where liberty reigns and where the people "do rule," longer deny to ourselves this great beneficence to men vouchsafed to the peoples of every other land?

I understand the objections to this bill, and they are not unlike those made in every country where legislation of this kind has been contemplated and where they have all been answered. I understand the fear that the banker may have of the competition that the postal savings system may make for him. In my opinion, those fears are not well grounded. It will do in America, as it has in every other country—very largely take care of itself. It will build up its own clientele and, from entirely new sources, make up its own depositors. I do not mean to say that some money will not be diverted from its present channels, but history shows that the percentage is very small, and what may be diverted is more than made up by additional depositors, for the habit of deposit will be inculcated by the postal savings system, and this will add unto the commercial bank depositors.

I have here two or three brief extracts which I want to read. I will not go into the subject extensively. I had intended to call attention to them a little sooner, but I have been diverted from the line of the argument somewhat that I had intended to make to-day.

The Postmaster-General, in 1892—and he has done it once or twice before and since, I think—asked the postmasters-general of other countries the result of the postal savings-bank system, and these are the statements of those postmasters-general. I find those statements in the report which the Senator from Montana [Mr. CARTER] has made in support of this bill. There are reports from Sweden and Hungary and Italy and Belgium and the Netherlands and Austria and France, and perhaps some other countries. The question our Postmaster-General asked was, "Has the postal savings bank of your country, in its beginning or since, met with any opposition from private savings banks?"

Sweden says:

As far as known, no opposition has been manifested at any time.

The Hungarian postmaster-general says:

The private savings banks can never see a competitor in the postal savings banks, because their organization is different and because they serve a different class of people. The postal savings banks have not exercised any injurious influence on the development of private savings banks, which is shown by the circumstance that since the establishment of postal savings banks the deposits in the private savings banks have not decreased, but increased very considerably, as has also the number of private savings banks.

In Italy the postmaster-general replied:

There has never been any serious opposition to the establishment of the postal savings bank. In the beginning some apprehension was felt that the postal savings bank might injure the private institution of similar character, but this apprehension soon vanished, as it soon became apparent that each of the two kinds of institutions had its own circle of customers and did not interfere with each other. At present there are not a few localities where postal savings banks are in operation and flourish side by side with private savings banks.

Other countries report the same. The French report says:

The postal savings bank and the private savings banks do not exactly serve the same class of customers. The first mentioned offers especial advantages to economical persons who move about a good deal and who therefore appreciate the facility of making a deposit in one post-office and drawing it in some other office; the second, by reason of the higher rate of interest paid by them, are more advantageous to persons who always reside in one and the same place where they make their deposits and draw their money.

I shall not take time to read more of them, but what I do want to call attention to is a little book which I brought with me—Lewins's History of Savings Banks. At page 318, in discussing the question whether postal savings banks interfere with commercial banks, he says:

It is a somewhat remarkable fact that—

I will say this little book was written five years after the postal savings bank system went into operation in England, and he writes of the result in England—

It is a somewhat remarkable fact that of the total amount which had up to the end of last year been deposited in post-office banks not

much more than a million and a half * * * had been withdrawn from the old savings banks.

From these facts it seems quite clear that the business acquired by the post-office banks, at any rate up to this time, is almost entirely newly created business, and that the older savings banks have only been interfered with to a trifling extent. * * * Other sums might undoubtedly have been placed with the older institutions, had there been no competition; but by far the greatest proportion is plainly derived from sources hitherto unreached, and consists of money which no amount of persuasion could divert from the hundred forms of indulgence to the older channels of economic hoarding.

Further along he says:

The post-office banks, further, seem not only to have attracted a public of their own, but to have created, as it were, a fresh race of provident people.

In my opinion the experience there would be repeated here, and from the cellars and the garrets, from the old stockings and chimney corners, from hollow logs and the cold, damp earth, from everywhere would come flowing into the channels of trade and commerce the hidden and hoarded money of the realm. I have the information here that 49 per cent of the circulating medium can not be accounted for to-day or at any particular time. Commerce is deprived of its use, because there has as yet been provided no means to attract it from its hiding place. It is hidden by those who fear and distrust their fellow-citizens in the private institutions, and is carried in the pockets of others for whom we have provided no adequate facilities for putting it back into circulation other than as it is expended.

Mr. President, it will not answer the demand nor meet the situation for us to glorify our present banking system. They did even that much in England fifty years ago. I received a letter yesterday from a constituent of mine, a very important man in my State, a very strong banker. He writes a very good letter. He said to me that in his opinion Congress ought to leave this matter to the judgment of the bankers, whose years of experience in financial matters made them more competent to judge of what legislation ought to be along this line. But it will not do to take the opinion of bankers, because their judgments have been overturned in every land. As I said in the beginning, if we had allowed our legislation to go until the men who are most particularly interested in it said so, we would never have had a meat-inspection bill, or a railroad regulation bill, or a child-labor bill for the District of Columbia, nor any of the magnificent legislation that we have had in this country in the last few years.

I am not one of those given to a wholesale and indiscriminate criticism of our present banking system, for my experience in the ordinary affairs of life is that that is one of the surest signs of a man's own incompetency, and woe to a man's reputation among his fellows who can see no good in the men and measures with which he comes in contact. I say frankly, after listening to the discussion of financial experts in Congress for ten years, I have about come to the conclusion that we have probably outlived our present financial system. But with my restricted vision and qualifying better as a historian than as a financial expert, I am bound to say that I find more specific things to applaud our banking system for than to criticize it for.

I recall the dark days of the Republic in which it was established, and the proud eminence of financial achievement into which it has brought us. I recall the stability with which it has sailed the tempestuous seas of industrial panic, and the dogged resistance it has maintained against the visionary and fanciful fads and hobbies that have assailed it from every quarter. I recall, as no small tribute to its success, that it is more responsive to industry and commerce, to progress and development, than any other banking system upon the face of the earth.

It is the realization of the fondest dream for the uses of trade; and I undertake to say that American ingenuity does not appear to better advantage anywhere than in comparing our banking facilities with those of other lands. Nowhere has a greater amount of business been done with less machinery, nowhere with greater convenience and greater dispatch. The American banker well deserves a large share of the credit for our industrial and commercial advance. But I am bound to say that with all his demonstrated ingenuity for distributing money he has not been successful in rendezvousing money. He has gathered together the large sums of a few depositors; he has put them to the very best practical use; but he has failed to reach the enormous amounts of the millions of Americans and put them to proper use.

The public function of a bank is to collect together the funds of the people who do not have any present use for them and put them into the hands of people who do have present use for them.

A system is successful only in the measure that it accomplishes what it is intended to do. If this system of ours does not reach all of the people, it is not wholly successful. If it

does not reach all of the money, it is not wholly successful. If it is economical to gather together a part of the idle money for the uses of others, then certainly it would be more economical to gather together the largest amount possible.

Great Britain, with 45,000,000 people, has 11,000,000 bank depositors. America, with over 90,000,000 people, has less than 9,000,000 bank depositors. In Sweden 40 per cent of their people are bank depositors. In America less than 10 per cent of our people are bank depositors. No one contends that our people are less prosperous than the people of England and Sweden. No one doubts that the average American has more money about him than the average individual in any country in the world.

The trouble with us is that we have reached 10 per cent of our people, with an average deposit of \$423, while Sweden has reached 40 per cent of her people, with an average deposit of \$30.

So, without any reflections upon the banking system as it is and for what it was intended, I am only insisting that there is a limit beyond which it will not go, and that the experience of other nations teaches us that the postal savings banks are both stimulating to individuals and economical to the public.

Now, we have had a speech here, laid on the table of every Senator, stating that all the commercial banks of the country practically received savings-bank deposits. Yet we know that commercial banks do not invite small deposits—a dollar deposit, a 10-cent deposit. They do not want anything to do with such small deposits. In most places in this country there is a minimum limit of acceptable bank deposits. In three-fourths of the country there are no savings banks. One-fourth of the States of the Union have over 90 per cent of such institutions. In large sections of the country there is not enough reward offered to warrant private capital in investing in savings institutions.

In those portions of the country the man working for wages is driven to carrying his savings from month to month until he spends it or until he has acquired and saved up a sufficient amount to make him bold enough to lean against a commercial bank counter to make a deposit.

All that is a handicap to the commerce of this country. It is at the expense of our machinery of trade and commerce and helps to diminish our circulating medium. But, most unfortunate of all, when crises come and panics shake the confidence of men, when more money is needed more money is hoarded. So I say the emergency of our times demands the enactment of this legislation. It will put more money into circulation; steady deposits reassure borrowers, relieve nervous bankers; and it will turn thousands of profligate spendthrifts into frugal and self-sustaining citizens.

I have talked longer to-day than I intended when I started. I did not intend to-day to go into any of the details of this bill, although necessarily I have been called into a discussion of some of them. When the bill comes up for final action—and I hoped that it might be before the holidays—some of these sections will deserve and ought to have some further consideration.

I will say that I introduced a bill which, in my opinion, is better than the one reported, in some particulars. But I am not going to quarrel about the merits of the bill to-day. It will be voted upon when the question comes up. This bill that we have before us does provide, as a general proposition, for the things that it seems to me a savings-bank system ought to do. It provides for a government savings depository for small deposits. The rate of interest is small, as it ought to be, for otherwise it would attract all the money. The amount of deposits is limited. Possibly it ought to be smaller. If the amount is too large, the man with enormous sums could deposit them, even with small interest, and without any effort on his part be sustained by the Government. It provides that the deposits shall be redeposited in the nearest national depository to where they are collected, so as to preserve to each locality its own money. It also confines it to the post-offices of a presidential grade, and thus relieves the Postmaster-General of the necessity of placing them where they would not be needed or where there is no possibility of compensation equaling the expense.

Before I sit down I wish to call the attention of Senators to this magnificent report that the Senator from Montana [Mr. CARTER] has made, because it covers the twenty years of work that has been done on this legislation in this country and the fifty years of practical experience in other countries. The Senator from Montana deserves great credit for it. It is one of the most complete reports that has ever been made on this subject. He has shown his industry by going back through the last twenty years of investigation of this subject in this country, and he has collected the wisdom and the work of all the Post-

masters-General and of former Senate and House committees that have reported on this question.

As I said in the beginning, I understand there is a disposition here to prevent this legislation from coming to a vote. I had hoped there would be more of those Senators present who oppose it that I might urge them not to take advantage of our rules or lack of rules to defeat this legislation. I understand that with our rules or lack of rules a few Senators can prevent a majority from doing business. But, I submit, the success of these rules and their longevity may be diminished by continued and repeated abuse. Freedom of debate in the Senate is traditional now, and if honestly and legitimately used is the greatest possible boon to good legislation, but if that freedom shall be abused, even unto the defeat of legislation, it then becomes a positive evil, and one that in time will be corrected.

I hope there will not be a determination to delay for the purpose of defeating this bill. If the older Senators, those I had expected to oppose it, had been here, I intended to urge upon them not to use the very prerogatives that mean so much for them in the seats of honor and power that they so splendidly grace in defeating this legislation. Every Senator ought to vote against the bill, if it is wrong, and if a majority of the Senate votes the bill down I have such an abiding faith in the wisdom and honesty of the Senate that I shall bow very respectfully to the superior wisdom of the Senate. But if we are to be deprived of the opportunity to vote upon it by stealth or strategy or legerdemain, then I shall bend to the adroitness of man.

GOVERNMENT OF THE DISTRICT OF COLUMBIA.

The VICE-PRESIDENT laid before the Senate the following message from the President of the United States, which was read and, with the accompanying papers, referred to the Committee on the District of Columbia and ordered to be printed:

To the Senate and House of Representatives:

The rapid increase of population in the National Capital within recent years has greatly altered social conditions, necessitating changes in the machinery of its administration. Greater efficiency and a better provision for the protection of both the industrial and dependent classes are required.

Recognizing these needs, I have had a special report made to me on the affairs of the District of Columbia which I transmit herewith. I cordially approve the recommendations in the report for: the substitution of a single head or Governor in place of three Commissioners; the establishment of District or Municipal Departments in place of the existing Bureaus; and the creation of a new department to be known as that of Housing and Labor. I ask your careful consideration of the entire report; Mr. Reynolds has rendered a great and disinterested service for which our heartiest thanks are due him.

A single executive head would increase efficiency, determine responsibility and eliminate delays and uncertainties inevitable under the present system; Municipal Departments headed by Commissioners to be appointed by the Governor would yield the same advantage.

In the proposed scheme of reorganization, the Department of Education should be coordinated with other City Departments.

I especially urge that the proposed Department of Housing and Labor be established. Poverty, disease and crime are largely due to defects of social conditions and surroundings. The need of improved sanitary inspection of dwellings, rear alleys and small shacks (such as unhappily still exist in Washington) and of stores, work shops and factories should not be left to subordinate Bureau Chiefs, but should be brought under the direct control of a competent head of the above named Department.

An equally important public responsibility is the protection of the independent industrial class which neither desires nor accepts charity, but whose members have often been led to misfortune and even crime through agencies licensed by the state, but defectively and inadequately supervised. Notable among these are pawn-shops, loan and industrial insurance companies and employment agencies. The supervision of these agencies is at present limited to the police. They should be under the direction of officials qualified to advance their efficiency and economic service to the public.

The above named changes would vastly improve the efficiency of the District Government, and would afford protection to its industrial and dependent classes which is imperatively needed.

I also transmit for the consideration of the Congress reports of the Committee on Building of Model Houses which was appointed in accordance with the recommendation of Mr. Reynolds.

THEODORE ROOSEVELT,

THE WHITE HOUSE, December 17, 1908.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. C. R. McKinney, its enrolling clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (S. 5083) to amend section 1 of the passenger act of 1882.

ACCOMMODATIONS FOR STEERAGE PASSENGERS.

Mr. LODGE submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (S. 5083) entitled "An act to amend section one of the passenger act of eighteen hundred and eighty-two," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendments numbered two, thirteen, and fourteen.

That the Senate recede from its disagreement to the amendments of the House numbered one, three, four, five, ten, and eleven, and agree to the same.

That the Senate recede from its disagreement to the amendment of the House numbered six, and agree to the same with an amendment as follows: Page 4, line 3, after "thereof," insert the following: "subject to the allowance for measurement of public rooms, lavatories, and bathrooms, if any, provided for by paragraph ten;" and the House agree to the same.

That the Senate recede from its disagreement to the amendment of the House numbered 7, and agree to the same with an amendment as follows: Page 4, line 7, after the word "use," insert the following: "subject to the allowance for measurement of public rooms, lavatories, and bathrooms, if any, provided for by paragraph 10;" and the House agree to the same.

That the Senate recede from its disagreement to the amendment of the House numbered 8, and agree to the same with an amendment as follows: Page 4, line 12, insert after "thereof" the following: "subject to the allowance for measurement of public rooms, lavatories, and bathrooms, if any, provided for by paragraph 10;" and the House agree to the same.

That the Senate recede from its disagreement to the amendment of the House numbered 9, and agree to the same with an amendment as follows: Page 5, line 2, after "included" insert "and also, on whatever deck located" and strike out therefrom the following: "shall be provided for the exclusive use of steerage passengers, and the space so occupied shall also be included;" and the House agree to the same.

That the Senate recede from its disagreement to the amendment of the House numbered 12, and agree to the same with an amendment as follows: Strike out the word "apartments" and insert in lieu thereof the word "compartment;" and the House agree to the same.

W. P. DILLINGHAM,
H. C. LODGE,
A. J. McLAURIN,

Managers on the part of the Senate.

BENJ. F. HOWELL,
WILLIAM S. BENNET,
JOHN L. BURNETT,

Managers on the part of the House.

The report was agreed to.

POSTAL SAVINGS BANKS.

The VICE-PRESIDENT. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (S. 6484) to establish postal savings banks for depositing savings at interest, with the security of the Government for repayment thereof, and for other purposes.

INLAND WATERWAYS COMMISSION.

Mr. NEWLANDS. Mr. President, I ask unanimous consent for the consideration of the bill (H. R. 21899) providing for the appointment of an inland waterways commission, with the view to the improvement and development of the inland waterways of the United States.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Nevada?

Mr. ALDRICH. That is an important bill, and I suggest to the Senator from Nevada that it ought not to be taken up when manifestly there is no quorum of the Senate present. I suggest to the Senator not to make that request now. I shall feel obliged to object to it if it is made, with manifestly no quorum of the Senate present.

Mr. NEWLANDS. Of course I will have to yield to the suggestion of the Senator from Rhode Island if he pushes it, but I apprehend that the Senator is under the impression that the bill which I have asked to bring up for consideration is the one that was originally introduced providing a comprehensive plan for the development of our waterways through the action of a commission, which was authorized to coordinate the various services of the Government through an active cooperation which would take in municipalities. This bill is a short substitute for that bill, giving the President power to appoint a commission, not exceeding nine, simply for the purposes of investigation, and giving the commission a small appropriation of \$20,000.

I wish to say that there was no river and harbor bill at the last session, and there probably will not be one at the present session. Pretty nearly two years ago the President appointed a commission to inquire into these matters simply under his power of recommendation. This is intended to make a statutory commission in the place of the voluntary commission which has thus far acted.

Mr. CULLOM. Mr. President—

Mr. NEWLANDS. I will ask the Senator from Rhode Island whether, in view of that statement, he still objects to the present consideration of the bill?

Mr. ALDRICH. I must confess that I have no clear idea about the present position of this question. We have had so many conventions and so many commissions that I am not sure whether Congress has any jurisdiction or power over any of these questions.

Mr. NEWLANDS. In view of the objection of the Senator from Rhode Island, I would therefore suggest as a substitute, that it be agreed by unanimous consent that the bill (H. R. 21899) providing for the appointment of an inland waterways commission with the view to the improvement and development of the inland waterways of the United States be taken up for consideration on Wednesday, January 20, immediately after the conclusion of the routine morning business, such consideration to be continued until the bill is disposed of.

Mr. BURKETT. Mr. President, I submit that the Senator from Rhode Island called attention to the fact that obviously there is no quorum present, and it seems to me that it would not be proper to do any business one way or the other until the presence of a quorum is developed.

Mr. CULLOM. I hope that we may have a brief executive session.

The VICE-PRESIDENT. The Chair did not hear the statement of the Senator from Nebraska.

Mr. BURKETT. I submit that it would not be proper to go on with business after the statement made, and not contradicted in the record, that there is no quorum present. As I understand the rule, when a Senator calls attention to the absence of a quorum it is the duty of the presiding officer to direct the roll to be called.

The VICE-PRESIDENT. The Senator from Rhode Island did not raise the point that there is no quorum present. The Chair does not understand that that question was raised by the Senator within the rule.

Mr. NEWLANDS. Mr. President, I think I have the floor.

The VICE-PRESIDENT. The Senator from Nevada has the floor.

Mr. NEWLANDS. I will submit a motion that a certain date be set for the bill. My motion is that House bill 21899 be taken up on Wednesday, January 20, for consideration immediately after the conclusion of the routine morning business, such consideration to be continued until the bill is disposed of. It is a motion.

The VICE-PRESIDENT. The Senator from Nevada moves that House bill 21899 be set for consideration immediately after the close of the routine morning business on Wednesday, January 20 next, and that the consideration of the bill be proceeded with until the bill is disposed of.

Mr. SCOTT. What is the nature of the bill?

The VICE-PRESIDENT. It is an act providing for the appointment of an inland waterways commission with the view to the improvement and development of the inland waterways of the United States. The question is on agreeing to the motion.

Mr. HALE. I move that the Senate proceed to the consideration of executive business.

Mr. NEWLANDS. I do not yield for that motion.

Mr. HALE. I do not ask the Senator to yield. Pending his motion, I move that the Senate proceed to the consideration of executive business.

Mr. NEWLANDS. Mr. President, I rise to a point of order. The VICE-PRESIDENT. The Senator from Nevada will state his point of order.

Mr. NEWLANDS. The point of order is that I have the floor.

The VICE-PRESIDENT. No; the Senator is not entitled to the floor. The Senator from Nevada submitted a motion to the Senate and his motion was before the Senate. The Senator from Maine rose and moved that, pending that motion, the Senate should proceed to the consideration of executive business. The motion of the Senator from Maine is entitled to precedence under the rule.

Mr. HALE. Upon that I call for the regular order, and that is the putting of the motion.

The VICE-PRESIDENT. The question is on agreeing to the motion of the Senator from Maine that the Senate shall proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After eighteen minutes spent in executive session the doors were reopened, and (at 2 o'clock and 30 minutes p. m.) the Senate adjourned until Saturday, December 19, 1908, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate Thursday, December 17, 1908.

COLLECTOR OF CUSTOMS.

Rentfro B. Creager, of Texas, to be collector of customs for the district of Brazos de Santiago, in the State of Texas, in place of John W. Vann, removed.

COLLECTOR OF INTERNAL REVENUE.

George E. Work, of West Virginia, to be collector of internal revenue for the district of West Virginia, in place of William E. Glasscock, resigned.

REGISTER OF THE LAND OFFICE.

John L. Lockhart, of Pierre, S. Dak., to be register of the land office at Pierre, S. Dak., vice Albert Wheelon, whose term will expire January 23, 1909.

PROMOTIONS IN THE NAVY.

The following-named midshipmen to be ensigns in the navy from the 13th day of September, 1908, to fill vacancies existing in that grade on that date:

Gardner L. Caskey,
John B. Rhodes,
Philip G. Lauman,
Arthur W. Frank,
Albert C. Read,
George H. Bowdey,
Ralph T. Hanson,
Robert A. Theobald,
Richard Hill,
Fletcher C. Starr,
William L. Beck,
Alfred W. Brown, jr.,
Frank Russell,
Guy E. Baker,
John A. Monroe,
William F. Newton,
David A. Scott,
Willis W. Bradley, jr.,
David G. Copeland,
Raymond A. Spruance,
Calvin P. Page,
Earle F. Johnson,
Henry K. Hewitt,
Felix X. Gyax,
Guy E. Davis,
Weyman P. Beehler,
Lemuel M. Stevens,
Warren C. Nixon,
John W. W. Cumming,
Charles R. Clark,
Chester H. J. Keppler,
Charles A. Dunn,
Frederick W. Milner,
Charles G. Davy,
Horace T. Dyer,
Charles C. Gill,
Augustin T. Beauregard,

Damon E. Cummings,
Russell S. Crenshaw,
Robert A. Burford, jr.,
Warren G. Child,
Herbert S. Babbitt,
William H. Lee,
Bryson Bruce,
William P. Williamson,
Randall Jacobs,
Vaughn V. Woodward,
Richard S. Edwards,
Robert T. S. Lowell,
Clyde R. Robinson,
Richard T. Keiran,
Ralph C. Needham,
James B. Howell,
Charles C. Slayton,
John H. Hoover,
Louis H. Maxfield,
Raymond F. Frelsen,
William H. Walsh,
Alfred W. Atkins,
Claude A. Jones,
Harry Campbell,
George W. Kenyon,
Allan S. Farquhar,
Lucien F. Kimball,
Harold M. Bemis,
John M. Schelling, and
Bert B. Taylor.

Capt. William W. Kimball to be a rear-admiral in the navy from the 17th day of December, 1908, vice Rear-Admiral William H. Emory, retired.

CONFIRMATIONS.

Executive nominations confirmed by the Senate December 17, 1908.

CONSUL-GENERAL.

John P. Bray to be consul-general of the United States of class 4 at Sydney, New South Wales, Australia.

CONSULS.

Joseph M. Authier to be consul of the United States of class 9 at Guadeloupe, West Indies.

Frank C. Denison to be consul of the United States of class 9 at Fernie, British Columbia, Canada.

Edward A. Creevey to be consul of the United States of class 7 at St. Michaels, Azores.

George H. Jackson to be consul of the United States of class 8 at Cognac, France.

Frederick M. Ryder to be consul of the United States of class 6 at Rimouski, Quebec, Canada.

COMMISSIONER OF LABOR.

Charles P. Neill to be Commissioner of Labor, Department of Commerce and Labor.

ENVOY EXTRAORDINARY AND MINISTER PLENIPOTENTIARY.

Huntington Wilson to be envoy extraordinary and minister plenipotentiary of the United States to Roumania and Servia and diplomatic agent in Bulgaria.

ASSISTANT TO THE ATTORNEY-GENERAL.

Wade H. Ellis to be assistant to the Attorney-General.

PHILIPPINE COMMISSION.

W. Cameron Forbes to be vice-governor of the Philippine Islands.

Gregorio Araneta to be a member of the Philippine Commission and secretary of finance and justice in the government of the Philippine Islands.

Newton W. Gilbert to be a member of the Philippine Commission.

Rafael Palma to be a member of the Philippine Commission.

REGISTER OF LAND OFFICE.

Thomas C. Tillotson to be register of the land office at Roswell, N. Mex.

RECEIVER OF PUBLIC MONEYS.

Andrew P. Adolphson to be receiver of public moneys at Leadville, Colo.

SURVEYOR-GENERAL OF ALASKA.

William L. Distin to be surveyor-general of Alaska.

PROMOTIONS IN THE NAVY.

Lieut. Commander Patrick W. Hourigan to be a commander in the navy from the 11th day of July, 1908, vice Commander Henry C. Gearing, promoted.

Lieut. Commander William G. Miller to be a commander in the navy from the 20th day of July, 1908, vice Commander Burns T. Walling, promoted.

Ensign William D. Greetham to be a lieutenant (junior grade) in the navy from the 30th day of July, 1908, upon the completion of three years' service in present grade.

Lieut. Commander George W. Kline to be a commander in the navy from the 1st day of August, 1908, vice Commander Clifford J. Boush, promoted.

Commander James H. Sears to be a captain in the navy from the 3d day of September, 1908, vice Capt. Greenleaf A. Merriam, deceased.

Capt. William P. Potter, an additional number in grade, to be a rear-admiral in the navy from the 30th day of October, 1908, with Capt. Gottfried Blocklinger, promoted.

Commander Charles C. Rogers to be a captain in the navy from the 30th day of October, 1908, vice Capt. Gottfried Blocklinger, promoted.

Capt. Nathan E. Niles to be a rear-admiral in the navy from the 12th day of November, 1908, vice Rear-Admiral James M. Miller, deceased.

Capt. Newton E. Mason, an additional number in grade, to be a rear-admiral in the navy from the 12th day of November, 1908, with Capt. Giles B. Harber, promoted.

Commander John T. Newton to be a captain in the navy from the 12th day of November, 1908, vice Capt. Nathan E. Niles, promoted.

Commander Benjamin Tappan, an additional number in grade, to be a captain in the navy from the 12th day of November, 1908, with Commander John T. Newton, promoted.

Lieut. Commander George R. Evans to be a commander in the navy from the 12th day of November, 1908, vice Commander John T. Newton, promoted.

Lieut. Walter S. Turpin to be a lieutenant-commander in the navy from the 28th day of January, 1908, vice Lieut. Commander William L. Howard, promoted, to correct the date from which Lieut. Commander Turpin takes rank as confirmed on January 30, 1908.

Lieut. William S. Whitted to be a lieutenant-commander in the navy from the 30th day of January, 1908, vice Lieut. Commander Robert B. Higgins, promoted.

Lieut. Walter J. Manion to be a lieutenant-commander in the navy from the 25th day of February, 1908, vice Lieut. Commander Isaac K. Seymour, deceased, to correct the date from which Lieutenant-Commander Manion takes rank as confirmed on April 23, 1908.

Lieut. George E. Gelm to be a lieutenant-commander in the navy from the 17th day of April, 1908, vice Lieut. Commander Charles S. Bookwalter, resigned.

Lieut. Frank H. Brumby to be a lieutenant-commander in the navy from the 23d day of April, 1908, vice Lieut. Commander John C. Leonard, promoted.

Lieut. James P. Morton, an additional number in grade, to be a lieutenant-commander in the navy from the 23d day of April, 1908, with Lieut. Frank H. Brumby, promoted.

Lieut. Frank P. Baldwin to be a lieutenant-commander in the navy from the 24th day of April, 1908, vice Lieut. Commander John M. Ellicott, promoted.

Lieut. George L. P. Stone to be a lieutenant-commander in the navy from the 15th day of May, 1908, vice Lieut. Commander Charles W. Dyson, promoted.

Lieut. Harris Laning to be a lieutenant-commander in the navy from the 1st day of July, 1908, vice Lieut. Commander Harry George, promoted.

Lieut. Franklin D. Karns to be a lieutenant-commander in the navy from the 1st day of July, 1908, vice Lieut. Commander Frederick L. Chapin, promoted.

Lieut. David W. Todd to be a lieutenant-commander in the navy from the 1st day of July, 1908, vice Lieut. Commander William C. Herbert, promoted.

Lieut. John V. Klemann to be a lieutenant-commander in the navy from the 1st day of July, 1908, vice Lieut. Commander Alexander S. Halstead, promoted.

Lieut. Henry V. Butler to be a lieutenant-commander in the navy from the 1st day of July, 1908, vice Lieut. Commander Harry A. Field, promoted.

Lieut. Walter R. Gherardi to be a lieutenant-commander in the navy from the 1st day of July, 1908, vice Lieut. Commander Chester M. Knepper, promoted.

Lieut. James J. Raby to be a lieutenant-commander in the navy from the 1st day of July, 1908, vice Lieut. Commander Clarence S. Williams, promoted.

Lieut. Frederic N. Freeman to be a lieutenant-commander in the navy from the 1st day of July, 1908, vice Lieut. Commander Frank K. Hill, promoted.

Lieut. William H. Standley to be a lieutenant-commander in the navy from the 1st day of July, 1908, vice Lieut. Commander Roger Welles, promoted.

Lieut. Kenneth M. Bennett to be a lieutenant-commander in the navy from the 1st day of July, 1908, vice Lieut. Commander John D. McDonald, promoted.

Lieut. Edward H. Watson to be a lieutenant-commander in the navy from the 1st day of July, 1908, vice Lieut. Commander Hilary P. Jones, promoted.

Lieut. James E. Walker to be a lieutenant-commander in the navy from the 1st day of July, 1908, vice Lieut. Commander William R. Shoemaker, promoted.

Lieut. Rufus Z. Johnston to be a lieutenant-commander in the navy from the 1st day of July, 1908, vice Lieut. Commander Charles P. Plunkett, promoted.

Lieut. Thomas D. Parker to be a lieutenant-commander in the navy from the 4th day of July, 1908, vice Lieut. Commander Volney O. Chase, promoted.

Lieut. Thomas T. Craven to be a lieutenant-commander in the navy from the 19th day of July, 1908, vice Lieut. Commander George R. Slocum, promoted.

Lieut. Daniel W. Wurtzbaugh, an additional number in grade, to be a lieutenant-commander in the navy from the 19th day of July, 1908, with Lieut. Thomas T. Craven, promoted.

Lieut. Ralph Earle to be a lieutenant-commander in the navy from the 20th day of July, 1908, vice Lieut. Commander William G. Miller, promoted.

Lieut. Gatewood S. Lincoln to be a lieutenant-commander in the navy from the 1st day of August, 1908, vice Lieut. Commander George W. Kline, promoted.

Lieut. Wat T. Cluverius to be a lieutenant-commander in the navy from the 25th day of October, 1908, vice Lieut. Commander Harrison A. Bispham, promoted.

First Lieut. Frank C. Lander to be a captain in the Marine Corps from the 13th day of May, 1908, vice Capt. Newt H. Hall, promoted.

First Lieut. Eli T. Fryer to be a captain in the Marine Corps from the 13th day of May, 1908, vice Capt. Charles S. Hill, promoted.

First Lieut. Earl H. Ellis to be a captain in the Marine Corps from the 14th day of May, 1908, vice Capt. David D. Porter, appointed assistant adjutant and inspector.

Second Lieut. Samuel W. Bogan to be a first lieutenant in the Marine Corps from the 13th day of May, 1908, vice First Lieut. Robert Y. Rhea, promoted.

Second Lieut. Albert E. Randall to be a first lieutenant in the Marine Corps from the 13th day of May, 1908, vice First Lieut. Thomas Holcomb, jr., promoted.

Lieut. Jonas H. Holden to be a lieutenant-commander in the navy from the 11th day of July, 1908, vice Lieut. Commander Patrick W. Hourigan, promoted.

Asst. Paymaster Horace B. Worden to be a passed assistant paymaster in the navy from the 23d day of October, 1907, upon the completion of three years' service in present grade.

Mate William G. Smith, U. S. Navy, retired (died June 9, 1907), to be a mate on the retired list, with the rank and retired pay of the next higher grade, viz, the lowest grade of warrant officers, from the 29th day of June, 1906, to the date of his death, June 9, 1907, in accordance with the provisions of an act of Congress approved June 29, 1906.

POSTMASTERS.

ALABAMA.

George R. Lewis to be postmaster at Bessemer, Ala.

ARKANSAS.

James F. Burrus to be postmaster at Atkins, Ark.

DELAWARE.

John R. Black to be postmaster at Milton, Del.

FLORIDA.

Charles E. Barnes to be postmaster at Plant City, Fla.

Newell B. Hull to be postmaster at Starke, Fla.

Charles H. Jones to be postmaster at Quincy, Fla.

IDAHO.

Nettie B. Carpenter to be postmaster at Grangeville, Idaho.

Charles C. Moore to be postmaster at St. Anthony, Idaho.

A. T. Shane to be postmaster at Idaho Falls, Idaho.
Thomas C. White to be postmaster at St. Maries, Idaho.

INDIANA.

Charles E. Hillstrom to be postmaster at Chesterton, Ind.
Phineas O. Small to be postmaster at Laporte, Ind.
Moses Specter to be postmaster at East Chicago, Ind.

KANSAS.

Eli A. Baum to be postmaster at Burden, Kans.
Orlando A. Cheney to be postmaster at Fort Scott, Kans.
Frank S. McKelvey to be postmaster at Gas, Kans.
Lewis Pickrell to be postmaster at Minneapolis, Kans.

MICHIGAN.

Herman A. Wyckoff to be postmaster at Pontiac, Mich.

MISSOURI.

William Bostian to be postmaster at Independence, Mo.
Solomon R. McKay to be postmaster at Troy, Mo.

MONTANA.

Richard W. Garland to be postmaster at Malta, Mont.

NEBRASKA.

George H. Borden to be postmaster at Beaver Crossing, Nebr.
Augustine A. Hyers to be postmaster at Havelock, Nebr.
Charles F. Leetham to be postmaster at St. Paul, Nebr.
Charles W. Meeker to be postmaster at Imperial, Nebr.
Frederick W. Richardson to be postmaster at Battle Creek, Nebr.

Isaac Roush to be postmaster at Kimball, Nebr.
Clifton F. Stockwell to be postmaster at Bassett, Nebr.
Fay Whitfield to be postmaster at Peru, Nebr.

NEW MEXICO.

Edward Pennington to be postmaster at Deming, N. Mex.

NORTH CAROLINA.

Daniel E. Forrest to be postmaster at Effland, N. C.
Augusta Meares to be postmaster at Clarkton, N. C.
Benjamin O. Morris to be postmaster at Mocksville, N. C.

OHIO.

George C. Braden to be postmaster at Warren, Ohio.
E. C. Gething to be postmaster at Hubbard, Ohio.
William C. Newell to be postmaster at Bainbridge, Ohio.
George W. C. Perry to be postmaster at Chillicothe, Ohio.

OKLAHOMA.

Henry Amey to be postmaster at Fort Cobb, Okla.
Alfred M. Clark to be postmaster at Gage, Okla.
Horace Gray to be postmaster at Tahlequah, Okla.
Ira A. Hill to be postmaster at Cherokee, Okla.
Alexander B. Holliday to be postmaster at Crescent, Okla.
Will Huston to be postmaster at Thomas, Okla.
Walter F. McCague to be postmaster at Ralston, Okla.
Erastus G. McRee to be postmaster at Granite, Okla.
Downey Milburne to be postmaster at Coweta, Okla.
George Ruddell to be postmaster at Weatherford, Okla.
A. J. Thompson to be postmaster at Okarche, Okla.
Merrel L. Thompson to be postmaster at Hartshorne, Okla.
Benjamin F. Williams to be postmaster at Sayre, Okla.

PENNSYLVANIA.

Samuel C. Graham to be postmaster at Starjunction, Pa.
John Nelson to be postmaster at Leetsdale, Pa.

SOUTH DAKOTA.

Marion H. Moore to be postmaster at Bellefourche, S. Dak.
Thomas T. Smith to be postmaster at Canton, S. Dak.

UTAH.

Jonathan S. Page, jr., to be postmaster at Payson, Utah.

WYOMING.

Frederick E. Davis to be postmaster at Wheatland, Wyo.

WITHDRAWALS.

Executive nominations withdrawn from the Senate Thursday, December 17, 1908.

COLLECTOR OF CUSTOMS.

Charles A. Judson, of Ohio, to be collector of customs for the district of Sandusky, in the State of Ohio, sent to the Senate December 8, 1908.

POSTMASTER.

WYOMING.

William O'Connell to be postmaster at Kemmerer, in the State of Wyoming.

HOUSE OF REPRESENTATIVES.

THURSDAY, December 17, 1908.

The House met at 12 o'clock noon.

Prayer by the Chaplain, Rev. Henry N. Couden, D. D.

The Journal of the proceedings of yesterday was read and approved.

THE SECRET SERVICE—PRESIDENT'S ANNUAL MESSAGE.

Mr. PERKINS. Mr. Speaker, in behalf of the special committee appointed to report upon certain portions of the President's message, I offer the following resolution and ask that it be reported by the Clerk.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

Whereas there was contained in the sundry civil appropriation bill which passed Congress at its last session and became a law a provision in reference to the employment of the Secret Service in the Treasury Department; and

Whereas in the last annual message of the President of the United States to the two Houses of Congress it was stated in reference to that provision, "It is not too much to say that this amendment has been of benefit only, and could be of benefit only, to the criminal classes," and it was further stated, "The chief argument in favor of the provision was that the Congressmen did not themselves wish to be investigated by secret-service men," and it was further stated, "But if this is not considered desirable, a special exception could be made in the law, prohibiting the use of the secret-service force in investigating members of Congress. It would be far better to do this than to do what actually was done, and strive to prevent, or at least to hamper, effective action against criminals by the executive branch of the Government;" and

Whereas the plain meaning of the above words is that the majority of the Congressmen were in fear of being investigated by secret-service men, and that Congress as a whole was actuated by that motive in enacting the provision in question; and

Whereas your committee appointed to consider these statements of the President and to report to the House can not find in the hearings before committees nor in the records of the House or Senate any justification of this impeachment of the honor and integrity of the Congress; and

Whereas your committee would prefer, in order to make an intelligent and comprehensive report, just to the President as well as to the Congress, to have all the information which the President may have to communicate; Now, therefore be it

Resolved, That the President be requested to transmit to the House any evidence upon which he based his statements that the "chief argument in favor of the provision was that the Congressmen did not themselves wish to be investigated by secret-service men," and also to transmit to the House any evidence connecting any Member of the House of Representatives of the Sixtieth Congress with corrupt action in his official capacity, and to inform the House whether he has instituted proceedings for the punishment of any such individual by the courts or has reported any such alleged delinquencies to the House of Representatives.

Mr. PERKINS. Mr. Speaker, this resolution is recommended unanimously by the special committee. It calls for information to be furnished upon which the committee may make its final report. Upon the receipt of the evidence that may be supplied by the President the matter will be further considered, and a report then made for the consideration of the House.

I yield two minutes to the gentleman from Mississippi [Mr. WILLIAMS].

Mr. WILLIAMS. Mr. Speaker, I hope that this resolution will pass the House unanimously, and substantially without debate. The object of the resolution is to give to the President of the United States an opportunity to show upon what grounds he made his late seemingly unprovoked and unjustified attack upon the honor, the honesty, and the reputation of the legislative branch of the Government. So far as this committee has been able to discover, there is not a scintilla of evidence to support those statements; but the committee has thought that it is just and fair to the President to give him further opportunity to produce testimony, if he has any.

The American people have the right to know, if the American Congress be corrupt, that it is corrupt; and the President having made the statement to the effect that the entire body of the National Legislature has been actuated by the corrupt motive of shielding criminal Congressmen, we have thought it was right, before we brought in the final resolution, to give him all opportunity to establish the fact that he had some reason for making that statement. If he does not furnish any evidence, or furnishes insufficient evidence, to support his statement, then the country, which is the master of both of us, will come to its own judgment of his conduct. Meanwhile, this committee will remain in session—it does not become functus officio—and it will be ready to receive, to consider, and to weigh whatsoever competent and relevant evidence the President can furnish, and to act toward him and toward the House with absolute justice and impartiality, and to advise this House on a full analysis of the facts.

I hope the resolution will pass the House unanimously as an expression of its opinion.

Mr. PERKINS. Mr. Speaker—

Mr. BENNET of New York. Will my colleague yield two minutes to me?

Mr. PERKINS. I will when I have first said a word. I wish to state to the House that the committee, instead of passing upon the message without further remark except the examination of the statements in the message itself, in order that any report that it may make shall be entirely just both to the President of the United States and to the Congress of the United States, presents a resolution that any further information which may bear upon our judgment may be furnished by the Chief Executive.

Such a resolution I think, Mr. Speaker, must surely commend itself to the entire body of the House, regardless of any difference of individual views; and therefore it seems to me it does not require debate; and I join in the wish expressed by my colleague from Mississippi [Mr. WILLIAMS], that this resolution may be adopted without debate. When this committee makes its final report upon the question submitted to it, then there will be an opportunity for any man in this House who concurs or disagrees to the report to state his views to the House and to the country. Now I will yield with pleasure to my colleague from New York for any question he may see fit to ask.

Mr. BENNET of New York. My question, with the kind permission of my colleague, is this: As I understand the reading of the resolution, the recital simply indicates the present state of mind of the committee, and is not binding on the House any further than that?

Mr. PERKINS. Oh, no; the gentleman is entirely right. The resolution indicates the present view of the committee on the evidence that is before them. When further evidence is received the committee will impartially pass upon all the evidence before it, and upon that make a report which may be approved by the judgment of the House.

Mr. KEIFER. Will the gentleman from New York allow a question?

Mr. PERKINS. I will yield for a question.

Mr. KEIFER. I understand, from the way the resolution reads, that it is an imperative call on the President and omits the usual language in resolutions of inquiry—the words “if not incompatible with the public service.”

Mr. WILLIAMS. We purposely omitted that.

Mr. PERKINS. It is not an imperative command. The House could not issue any imperative command on the Chief Executive. We request him to furnish us with any evidence that he may have bearing upon the character of the Members of the House.

Mr. KEIFER. I understand the gentleman from Mississippi to say that the committee purposely omitted the usual language?

Mr. PERKINS. My friend from Mississippi speaks for himself.

Mr. WILLIAMS. If the gentleman from New York will permit me, since the gentleman has used my name, I can not conceive of any public policy which could overrule or be superior to the question of the honor and integrity of the legislative branch of the Federal Government. Therefore it never struck me that the usual language ought to be contained in this particular resolution.

Mr. PERKINS. Mr. Speaker, I now ask for a vote.

Mr. PARSONS. Mr. Speaker, may we have the resolution again reported?

The SPEAKER. Without objection, the Clerk will again report the resolution.

There was no objection, and the Clerk again reported the resolution.

Mr. BENNET of New York. Mr. Speaker, I would like to ask my colleague a question.

The SPEAKER. Does the gentleman yield?

Mr. PERKINS. I yield to the gentleman from New York for a question.

Mr. BENNET of New York. Is there any objection on the part of the committee, so far as its chairman can express the view of the committee, to inserting in that particular recital which attempts to state the plain meaning of the words of the President the words “in the present opinion of your committee,” so as to make it the opinion of the committee and not of the House.

Mr. PERKINS. Mr. Speaker, that would necessarily follow. This resolution is reported by the committee. We say that we, the committee, have not been able to find any evidence upon which the charge is sustained. We say that our interpretation of the statement contained is as we state it. I should object to any amendments. The committee would object to any amendments to the resolution which we have brought in.

Mr. BENNET of New York. Would my colleague yield to me for the purpose of offering that amendment?

Mr. PERKINS. No; I can not.

Mr. HENRY of Texas. Mr. Speaker, will the gentleman yield for a question?

Mr. PERKINS. Surely, for a question.

Mr. HENRY of Texas. Does the adoption of this resolution this morning contemplate that there shall not be any further report from the gentleman's committee?

Mr. PERKINS. Entirely the reverse.

Mr. HENRY of Texas. I wanted that fairly understood.

Mr. PERKINS. Why, surely. The committee requests—

Mr. HENRY of Texas. Now, when the entire report does come from the gentleman's committee, are we to understand that there shall be ample opportunity for full debate and amendment of the resolution in case of some of us do not agree to it?

Mr. PERKINS. Why, surely, Mr. Speaker; and the gentleman need not ask for any consent of the committee under the rules of the House.

Mr. HENRY of Texas. I am not asking for consent, but only for assurance; that is all.

Mr. PERKINS. Why, certainly. Under the rules of the House the gentleman has a right to be heard, and he has a right to offer any amendment which the House will act upon.

Mr. HENRY of Texas. I desire to say that I am very glad the resolution comes in in the form in which it does. I think it is entirely right, and I want to see it adopted.

Mr. PERKINS. Mr. Speaker, I ask for a vote.

Mr. POLLARD. Mr. Speaker, will the gentleman yield? I would like to have the resolution reread. [Cries of “I object.”]

Mr. COCKRAN. Will the gentleman yield?

Mr. PERKINS. I yield for a question.

Mr. COCKRAN. Does this resolution undertake to speak on behalf of this House or of Congress? The President's reference was to the Congress, and not to one Chamber of it. The purpose of my question is to inquire if the committee has considered the propriety of endeavoring to make this a subject of joint action by both Houses, so that the request for information might be preferred by Congress as distinguished from a request for information by the House, to which no express reference was made in the President's message.

Mr. PERKINS. I can only say, Mr. Speaker, that the committee was appointed by this House to report to this House, and we are not authorized to recommend any joint action by the two Houses. Mr. Speaker, I now ask for a vote or move the previous question.

Mr. HEPBURN. Mr. Speaker, I will ask the gentleman to yield to me for a moment.

Mr. PERKINS. I can not yield, Mr. Speaker. I move the previous question.

The SPEAKER. On the resolution and the preamble?

Mr. PERKINS. On the resolution and the preamble to a vote.

The SPEAKER. The question is on ordering the previous question on the resolution and preamble.

The question was taken, and the previous question was ordered.

The SPEAKER. Is a separate vote demanded on the preamble and the resolution?

Mr. BENNET of New York. Mr. Speaker, I ask for a separate vote.

The SPEAKER. The gentleman demands a separate vote. The question is on agreeing to the resolution.

Mr. COCKRAN. Mr. Speaker, would it be in order to ask that the preamble be read separately now?

The SPEAKER. Without objection, it could be read separately. However, the vote is first on the resolution.

Mr. COCKRAN. I thought a demand was made for a separate vote.

The SPEAKER. A demand has been made. The vote first will be taken on the resolution, and then would come the vote on the preamble. The question is on agreeing to the resolution. The question was taken, and the resolution was agreed to.

The SPEAKER. The question now is on agreeing to the preamble.

Mr. BENNET of New York. Mr. Speaker, is it in order to have a separate vote on each “whereas,” on each recital?

Mr. COCKRAN. Let us have it read first.

The SPEAKER. Does the gentleman demand a separate vote upon each “whereas?”

Mr. BENNET of New York. I demand a separate vote upon the recital which contains the words “the plain meaning,” which puts the House—

The SPEAKER. That is in which preamble?

Mr. BENNET of New York. I think it is in the third preamble.

The SPEAKER. A separate vote is demanded by the gentleman from New York upon the third preamble.

Mr. BENNET of New York. I think that is the one.

The SPEAKER. Is there a separate vote demanded on the other four; if not, the vote on the other four will be taken together.

Mr. PARSONS. Let them be read first, Mr. Speaker, so we will know just what we are voting on. I ask that they be reported again.

The SPEAKER. Without objection, the preambles upon which a vote is to be taken together will be read. The Chair hears no objection.

The Clerk read as follows:

Whereas there was contained in the sundry civil appropriation bill which passed Congress at its last session and became a law a provision in reference to the employment of the Secret Service in the Treasury Department; and

Whereas in the last annual message of the President of the United States to the two Houses of Congress it was stated in reference to that provision, "It is not too much to say that this amendment has been of benefit only, and could be of benefit only, to the criminal classes;" and it was further stated, "The chief argument in favor of the provision was that the Congressmen did not themselves wish to be investigated by secret service men;" and it was further stated, "But if this is not considered desirable, a special exception could be made in the law prohibiting the use of the secret-service force in investigating members of Congress. It would be far better to do this than to do what actually was done, and strive to prevent, or at least to hamper, effective action against criminals by the executive branch of the Government;" and

Whereas your committee appointed to consider these statements of the President and to report to the House can not find in the hearings before committees nor in the records of the House or Senate any justification of this impeachment of the honor and integrity of the Congress; and

Whereas your committee would prefer, in order to make an intelligent and comprehensive report, just to the President as well as to the Congress, to have all the information which the President may have to communicate; now therefore

The SPEAKER. If there be no objection, the vote will be taken upon the four "whereases" in the preamble together. [After a pause.] The Chair hears no objection.

The question was taken, and the four "whereases" were agreed to.

The SPEAKER. If there be no objection, the remaining "whereas" will be read. [After a pause.] The Chair hears none.

The Clerk read as follows:

Whereas the plain meaning of the above words is that the majority of the Congressmen were in fear of being investigated by secret service men and that Congress as a whole was actuated by that motive in enacting the provision in question; and

Mr. BENNET of New York. Mr. Speaker, on that I demand a separate vote.

The SPEAKER. A separate vote is demanded, and the previous question has been ordered.

The question was taken, and the Chair announced the ayes seemed to have it.

Mr. BENNET of New York. I call for a division, Mr. Speaker.

The SPEAKER. The gentleman from New York demands a division.

The House proceeded to divide.

Mr. BENNET of New York. Mr. Speaker, I withdraw the demand. [Laughter and applause.]

The SPEAKER. The ayes have it, and the remaining preamble—

Mr. WILLIAMS. Mr. Speaker, I do not think the Speaker called for the other side. The Speaker has not called for those opposed to stand up.

The SPEAKER. The gentleman from New York withdrew the demand.

Mr. MACON. Mr. Speaker, I will renew the demand for a division.

Mr. WILLIAMS. The gentleman from New York called for a division and he can not withdraw that call without unanimous consent, and I object to the withdrawal.

Mr. MACON. I renew the demand.

The House divided; and there were—ayes 270, noes 14.

So the remaining preamble was agreed to.

CONGRATULATIONS TO NEWLY CONVENED PARLIAMENT OF TURKEY.

Mr. PERKINS. Mr. Speaker, I offer the resolution which I ask the Clerk to report, and I ask unanimous consent for the present consideration of the resolution.

The SPEAKER. The gentleman from New York asks unanimous consent for the present consideration of the resolution which the Clerk will report.

The Clerk read as follows:

Resolved, That the House of Representatives respectfully requests the Secretary of State to communicate to the newly convened Parliament of Turkey the congratulations and best wishes of the House of Representatives of the American Congress.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The question was taken on the resolution and it was agreed to. [Applause.]

CHANGE OF REFERENCE.

Mr. SIMS. Mr. Speaker, I want to ask for a change of reference.

The SPEAKER. The gentleman from Tennessee asks a change of reference, which he will state.

Mr. SIMS. Mr. Speaker, I wish to ask unanimous consent for a change of reference of House joint resolution 202. The resolution provides for the holding of the inaugural ball, and it deals with departments of the Government—the Interior and War departments—and provides for a direct appropriation of money from the Treasury of the United States. I think this resolution, instead of being referred to the Committee on the District of Columbia, ought to be referred to the Committee on Appropriations.

The SPEAKER. The gentleman from Tennessee [Mr. SIMS] asks unanimous consent to change the reference of the bill, of which the Clerk will read the title, from the Committee on the District of Columbia to the Committee on Appropriations.

The Clerk read as follows:

House joint resolution (No. 202) authorizing the granting of permits to the committee on inaugural ceremonies on the occasion of the inauguration of the President-elect on March 4, 1909—

And so forth.

Mr. FOSTER of Indiana. Mr. Speaker, I object.

Mr. SIMS. I would like the gentleman to withhold his objection until I can be heard. This resolution, Mr. Speaker, provides for the use of the Pension building for the holding of the inaugural ball, provides for the use of public spaces under the jurisdiction of the War Department, and makes a direct appropriation of \$23,000, payable one-half from the Treasury of the United States and one-half from the funds of the District of Columbia. The portion of the resolution that deals directly with District affairs is of minor importance compared with the main body of the resolution, and calls for a direct appropriation.

I think it ought to go to the Committee on Appropriations, because if this resolution reported by the Committee on the District of Columbia is amended so as to make an authorization of the expenditure, then the Committee on Appropriations will have to appropriate the money; and as the resolution deals with questions that are very largely not local or pertaining to the District government, I think it would be in the interest of good procedure for this resolution to go to the Committee on Appropriations. That is the reason I have made the request.

Mr. Speaker, if it is in order and the request is not granted by unanimous consent, I will ask to move a change of reference.

The SPEAKER. Is there objection?

Mr. FOSTER of Indiana. Mr. Speaker, I object.

Mr. SIMS. Now, Mr. Speaker, if it is in order, I move that the change of reference be made.

The SPEAKER. Is that made on behalf of the committee?

Mr. SIMS. Not by direction of the committee; no. The committee has not directed it. I said, "if in order."

Mr. TAWNEY. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. TAWNEY. Is it competent for any member of the committee to move a change of reference of this bill from the Committee on the District of Columbia to the Committee on Appropriations after the reading of the Journal?

The SPEAKER. This motion would be in order on behalf of either committee immediately after the reading of the Journal, but it is not in order unless it voices the committee action.

The Chair recognizes the gentleman from New York [Mr. BENNET].

PASSENGER ACT OF 1882.

Mr. BENNET of New York. Mr. Speaker, I desire to call up the conference report on the bill S. 5083, and ask unanimous consent that the statement may be read in lieu of the report.

The SPEAKER. The gentleman from New York [Mr. BENNET] asks unanimous consent that the statement may be read in lieu of the conference report. Is there objection?

Mr. SHERLEY. Mr. Speaker, I think the report ought to be read.

The SPEAKER. The objection is heard, and the report will be read.

The conference report and statement of the House conferees were read as follows:

CONFERENCE REPORT.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (S. 5083), entitled "An act to amend section one of the passenger act of eighteen hundred and eighty-two," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendments numbered two, thirteen, and fourteen.

That the Senate recede from its disagreement to the amendments of the House numbered one, three, four, five, ten, and eleven, and agree to the same.

Amendment numbered 6: That the Senate recede from its disagreement to the amendment of the House numbered six, and agree to the same with an amendment as follows: Page 4, line 3, after "thereof," insert the following: "subject to the allowance for measurement of public rooms, lavatories, and bathrooms, if any, provided for by paragraph ten;" and the House agree to the same.

Amendment numbered 7: That the Senate recede from its disagreement to the amendment of the House numbered 7, and agree to the same with an amendment as follows: Page 4, line 7, after the word "use," insert the following: "subject to the allowance for measurement of public rooms, lavatories, and bathrooms, if any, provided for by paragraph 10;" and the House agree to the same.

Amendment numbered 8: That the Senate recede from its disagreement to the amendment of the House numbered 8, and agree to the same with an amendment as follows: Page 4, line 12, insert after "thereof" the following: "subject to the allowance for measurement of public rooms, lavatories, and bathrooms, if any, provided for by paragraph 10;" and the House agree to the same.

Amendment numbered 9. That the Senate recede from its disagreement to the amendment of the House numbered 9, and agree to the same with an amendment as follows: Page 5, line 2, after "included" insert "and also, on whatever deck located" and strike out therefrom the following: "shall be provided for the exclusive use of steerage passengers, and the space so occupied shall be included;" and the House agree to the same.

Amendment numbered 12. That the Senate recede from its disagreement to the amendment of the House numbered 12, and agree to the same with an amendment as follows: Strike out the word "apartments" and insert in lieu thereof the word "compartment;" and the House agree to the same.

BENJ. F. HOWELL,
WILLIAM S. BENNET,
JOHN L. BURNETT,

Managers on the part of the House.

W. P. DILLINGHAM,
H. C. LODGE,
A. J. McLAURIN,

Managers on the part of the Senate.

STATEMENT.

The principal matters in difference between the two Houses were:

First. The amount of air space accorded to each immigrant.

Second. The question whether certain public rooms on the steamers should be made mandatory.

As to the first proposition, the Senate adopts the views of the House, which give the larger amount of air space.

As to the second proposition, the mandatory provision is not adopted, but the description of the House defining the public rooms is adopted, the net result being that the bill as agreed to gives the immigrant the largest amount of air space ever accorded to him.

In detail the effect of the amendments is as follows:

First. Those on which the Senate recedes:

One. Makes the provisions of the law apply to outgoing as well as to incoming steamers.

Three and four. Substitutes the word "shall" for "may."

Five, ten, and eleven. Increases, respectively, the amount of air space given to each immigrant.

Second. Those on which the Senate recedes and agrees with an amendment:

Six, seven, eight, and nine. These Senate amendments permit public rooms to be located on decks other than those on which the immigrants sleep.

Twelve. Simply a verbal correction.

Third. Those on which the House recedes:

Two. Leaves the word "section" as safer legislation than the word "act."

Thirteen and fourteen. Necessarily receded from on the assumption that the bill is to become a law before January 1, 1909,

BENJ. F. HOWELL,
WILLIAM S. BENNET,
JOHN L. BURNETT.

Mr. BENNET of New York. Mr. Speaker, the explanation of this bill will be brief. It brings the legislation with respect to steerage passengers up to date by adapting it to ships which now have from six to ten decks. The principal thing that it does outside of that is to increase the amount of air space which every immigrant is entitled to by law from a hundred cubic feet to an average of 184 cubic feet. There is a complete agreement between the two Houses, after some discussion in committee and in the conference. I have nothing more that I desire to say.

The SPEAKER. The question is on agreeing to the conference report.

The question was taken, and the conference report was agreed to.

On motion of Mr. BENNET of New York, a motion to reconsider the motion by which the conference report was agreed to was laid on the table.

ORDER OF BUSINESS.

Mr. SULLOWAY. Mr. Speaker, I ask unanimous consent that bills on the Private Calendar in order to-day may be considered in the House as in the Committee of the Whole.

The SPEAKER. The gentleman from New Hampshire [Mr. SULLOWAY] asks unanimous consent that the pension bills on the Private Calendar in order to-day may be considered in the House as in the Committee of the Whole. Is there objection?

There was no objection.

PENSIONS TO CERTAIN SOLDIERS AND SAILORS OF CIVIL WAR.

The SPEAKER pro tempore [Mr. CAPRON]. The Clerk will report the first bill.

The first pension business was the bill (H. R. 23849) granting pensions and increase of pensions to certain soldiers and sailors of the civil war and certain widows and dependent relatives of such soldiers and sailors.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws—

The name of Christopher C. H. Mace, late of Company F, Sixth Regiment Indiana Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of John Gray, late of Company H, Thirteenth Regiment Tennessee Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of James G. Proctor, late of U. S. S. Ohio and Onward, United States Navy, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Oliver H. Gilbert, late of Company B, One hundred and eighty-ninth Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Thomas C. Blevens, late of Companies F and G, Eighth Regiment Tennessee Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of James M. Wilson, late of Company A, Second Regiment Tennessee Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of James M. Derby, late of Company F, Eleventh Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of John R. Meredith, late of Company F, Two hundred and seventh Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of James W. Iden, late of Company D, Twenty-fourth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Henry Harrison Howard, late of Company F, Ninth Regiment Minnesota Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Joseph W. Daniels, late of Company G, First Regiment Vermont Volunteer Heavy Artillery, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of George D. Crane, late of Company B, Fourteenth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Henry J. Lyda, late of U. S. S. Essex, U. S. Navy, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Ephraim K. Pond, late of Company E, Seventh Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Isaac Crocker, late of Company E, Fortieth Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Gustavus A. Springer, late of Company C, First Regiment Ohio Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of David Jones, late of Batteries H and K, Second Regiment United States Artillery, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of James F. Shepard, late of Company I, Eighteenth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of McLin P. Wilson, late of Company K, First Regiment Mississippi Marine Brigade Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of William Harvey, late of Company F, Fifty-seventh Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of George W. Goodner, late of Company E, Seventieth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of James Dean, late of U. S. S. Nahant, United States Navy, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Robert O. Crawford, late first lieutenant Company B, Eighty-eighth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Hartford Matherly, late of Company I, Third Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Joseph B. Nichols, late of Company I, One hundred and eighty-seventh Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Austin Daugherty, late of Company A, Tenth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of John G. Gilmer, late assistant surgeon, Thirty-second Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Joseph S. Davis, late of Company H, Forty-sixth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Ada Richards, widow of Isaiah Richards, late of Company C, Fourth Regiment U. S. Infantry, and general service, United States Army, and pay her a pension at the rate of \$12 per month.

The name of Wesley B. Brown, late of Company B, One hundred and forty-seventh Regiment Ohio National Guard Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of George H. Bryner, late of Company I, Forty-ninth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Nathan D. Gorton, late of Company C, Second Regiment Rhode Island Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Mary J. Stone, widow of James Stone, alias James Thompson, late of Company C, Thirty-third Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of \$12 per month, and \$2 per month additional on account of the minor child of said soldier until such child shall arrive at the age of 16 years.

The name of James Yoder, late of Company D, Eighty-second Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The name of William J. Davidson, late of First Battery, Wisconsin Volunteer Light Artillery, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of George W. Walker, late of Company G, One hundred and tenth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The name of Joseph H. Blackburn, late captain Company A, Fifth Regiment Tennessee Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Hattie W. Lord, widow of Henry T. Lord, late of Tenth Unattached Company, Massachusetts Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

The name of William Baughart, late of Company D, One hundredth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Sherman Hurd, late of Company G, First Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Joseph Tester, late of Company C, Forty-seventh Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Albertus Bowen, late of Company B, Sixty-fourth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Augustus D. Sanborn, late captain Company G, Fifth Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Charles E. Thurber, late captain Company I, Eleventh Regiment Minnesota Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The name of William M. Clark, late of Company E, Sixty-second Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of John T. Mercer, late of Company C, Ninety-eighth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Lewis N. Gibson, late of Company C, Fifth Regiment Kansas Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Sarah E. Hathaway, widow of John F. Hathaway, late acting assistant surgeon, United States Army, and pay her a pension at the rate of \$12 per month.

The name of James R. Allen, late of Company D, Thirteenth Regiment Tennessee Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of George Blevins, late of Company A, Thirteenth Regiment Tennessee Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Sarah A. Turner, former widow of George Anderson, late of Company I, Twenty-seventh Regiment United States Colored Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

The name of David Lackman, late of Company H, Twentieth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Calvin Elam, late of Company M, Thirteenth Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of George Buchanan, late of Company A, One hundredth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of David C. Clouse, late of Company B, First Regiment Indiana Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Charles H. Milk, late of Company B, One hundred and fifty-second Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Alpheus F. Vanniman, late of Company A, Thirty-eighth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Malinda Jane Odell, widow of Jeremiah Odell, late of Company G, Fourth Regiment Iowa Volunteer Cavalry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Albert S. Scroggins, alias Allen S. Craig, late of Battery H, West Virginia Volunteer Light Artillery, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of William Ellis, late of Company H, Nineteenth Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Samuel H. Davis, late of Company K, Fifth Regiment Iowa Volunteer Infantry, and first lieutenant Company F, Ninth Regiment Iowa Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of George F. Morgan, late captain Company G, One hundred and fifty-fifth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of George B. Matthews, late of Company D, Twenty-ninth Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The name of James T. Myers, late of Company C, Seventh Regiment, and Company B, Fifth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Thomas Trahey, late of Company H, Sixteenth Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Levi Howe, late of Company B, One hundred and second Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of William S. Landis, late of Company H, Sixth Regiment New Jersey Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of John Law, late of Company A, Seventieth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of George W. McKenzie, late of Company B, Eighth Regiment New York Volunteer Cavalry, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The name of Thomas J. Tupper, late of Company K, First Regiment Iowa Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Thomas W. Tattershall, late of Fourth Battery Wisconsin Volunteer Light Artillery, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of William H. Reeser, late of Company E, One hundred and twenty-ninth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of John Sheedy, late of Company B, Second Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Jefferson Good, late first lieutenant Company H, Eighty-eighth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Allen T. Blank, late of Company D, One hundred and twenty-eighth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of James Meagher, late of Companies K and B, Eighth Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Edward Lindsey, late of Company D, Second Regiment U. S. Volunteer Sharpshooters, and Company H, Seventeenth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Russian B. Moody, late of Company E, Sixty-sixth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Mary West, former widow of James West, late of Company K, Thirty-sixth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

The name of William T. Collins, late of Company B, Ninth Regiment Rhode Island Volunteer Infantry, and pay him a pension at the rate of \$12 per month.

The name of Ezra Taft, alias Ezra Davison, late of Company E, One hundred and fifty-fourth Regiment Ohio National Guard Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of James M. Pixley, late of Second Battery Vermont Volunteer Light Artillery, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of William McClister, late of Company B, Tenth Regiment New York Volunteer Heavy Artillery, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Peter S. Burke, late of Company B, Eleventh Regiment Indiana Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Edward L. Burke, late of Company G, One hundred and forty-eighth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of George W. Haney, late of Company I, Twenty-eighth Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Fred Augustus Chandler, late of Company H, First Regiment District of Columbia Volunteer Cavalry, and Company K, First Regiment Maine Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Jesse S. Camac, late of Company C, Sixty-seventh Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Lena Osborn, widow of Charles H. Osborn, late of Company A, Seventy-second Regiment, and Company A, Thirty-third Regiment, Illinois Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Homer W. Ayers, late captain Company B, Seventy-sixth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of William B. Tingley, late of Company G, Sixth Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Thomas Oldham, late of Company A, Twenty-ninth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of William H. Stout, late of Company F, First Regiment Alabama Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Paris Nordyke, late of Company K, Twentieth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Robert A. Herron, late of Company C, Ninety-third Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of William F. Mullin, late of Company A, Eighty-fourth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of David W. Bogard, late of Company H, Sixteenth Regiment U. S. Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Emilla Goerisch, helpess and dependent child of Christian Goerisch, late captain Company H, Second Regiment U. S. Reserve Corps Missouri Volunteer Infantry, and captain Company B, First Battalion U. S. Reserve Corps Missouri Volunteer Cavalry, and pay her a pension at the rate of \$12 per month.

The name of James R. Atkins, late of Company C, Thirty-ninth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Philip Jenkins, late first lieutenant Company C, Seventy-seventh Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of William R. Coe, late of Company I, Fourth Regiment West Virginia Volunteer Cavalry, and Company A, Seventeenth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Halleck Siverson, late of Company H, Second Regiment Minnesota Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Samuel Culby, late of Company E, Ninety-third Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Martha A. Adams, widow of George F. Adams, late surgeon Sixty-seventh Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The name of Maria E. Ackert, widow of Lord M. Ackert, late of Company H, Second Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Elizabeth G. Hall, dependent mother of Samuel D. Hall, late of Company F, First Battalion Massachusetts Volunteer Heavy Artillery, and pay her a pension at the rate of \$12 per month.

The name of Charles Clafin, late of Company C, Fourth Regiment Massachusetts Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of James B. Morgan, late of Company A, Eleventh Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Jennie Bennett, widow of Charles H. Bennett, late of Company C, Fifth Regiment Connecticut Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

The name of Waterman Griggs, late of Companies I and A, Eleventh Regiment Connecticut Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of James Haley, late of Company E, Fourteenth Regiment Vermont Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of George Fowler, late of Company K, One hundred and thirty-sixth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Benjamin Andrews, late of Companies I and C, Third Regiment Maryland Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Wesley Ellison, late of Fourth Battery, Wisconsin Volunteer Light Artillery, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of James M. Johnson, late of Company C, Seventh Regiment Tennessee Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of John M. Hurr, late of Company A, Eighteenth Regiment U. S. Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Samuel Emrick, late of Company I, Eleventh Regiment Kansas Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Alonzo T. Morrison, late of Company C, Thirteenth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Georgianna Fanning, widow of George M. Fanning, late of Company C, Eleventh Regiment Rhode Island Volunteer Infantry, and pay her a pension at the rate of \$24 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Lewis F. Fanning, helpess and dependent son of said George M. Fanning, this pension shall be reduced to \$12 per month from and after the date of death of said Lewis F. Fanning: *And provided further*, That in the event of the death of Georgianna Fanning, the name of said Lewis F. Fanning shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of \$12 per month from and after the date of death of said Georgianna Fanning.

The name of James P. Emmons, late of Company H, One hundred and thirty-fifth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of George Slagle, late of Company E, Thirty-sixth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Charles B. Griffin, late of Company H, Fourth Regiment Tennessee Volunteer Mounted Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Mathew Jellison, late of Company F, Sixty-ninth Regiment Indiana Volunteer Infantry, and Company G, Seventeenth Regi-

ment Veteran Reserve Corps, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Joseph Morgan, late of Company I, One hundred and forty-seventh Regiment New York Volunteer Infantry, and Company B, Tenth Regiment Veteran Reserve Corps, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Andrew Smith, late of Company A, One hundred and second Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of John N. Fox, late of Company D, First Regiment Vermont Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Henry Rittenhouse, late of Company B, Sixty-eighth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Levi Bolton, late of Company A, and commissary-sergeant Fifty-first Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of William E. Hobson, late colonel Thirteenth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of Abraham C. Newcomer, late of Company A, Independent cavalry attached to the Fifty-third Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The name of Marvin E. Payne, late of Company K, Seventh Regiment Kansas Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of John W. Boals, late of Company K, One hundred and seventh Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Henry W. Barnard, late of Company B, Ninth Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Ewing W. Davis, late of Company K, Second Regiment Ohio Volunteer Heavy Artillery, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Harley S. Hobbs, late of Company A, One hundred and fifty-first Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Enoch F. Blackwell, late of Company E, Twelfth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of James M. Best, late of Company A, Third Regiment Tennessee Volunteer Infantry, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The name of James W. Hamilton, late of Company G, Thirteenth Regiment Indiana Volunteer Infantry, and Company E, Seventeenth Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Clark Guinn, late of Company H, Ninety-third Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Margaretha Loether, widow of Ernst C. W. Loether, late of Company F, One hundred and third Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Henry Stocks, late captain Company A, Ninth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Francis M. Burnett, late of Company D, Thirtieth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of William F. Blanchard, late of Company B, Thirteenth Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of John West, late of U. S. S. Ohio, United States Navy, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Samuel F. Duff, late of Company B, Fifth Regiment Pennsylvania Volunteer Heavy Artillery, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Abraham Bennett, late of Company B, One hundred and third Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of William Jones, late of Company C, Ninety-seventh Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of George W. Graham, late of Company C, Sixty-third Regiment Pennsylvania Volunteer Infantry, and Eighteenth Regiment Veteran Reserve Corps, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Judson Graves, late of Company B, Fifty-eighth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Thomas J. Roberts, late of Company B, Seventy-ninth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Elias Dedmore, late of Company F, Tenth Regiment Iowa Volunteer Infantry, and Company D, Fourth Regiment Veteran Reserve Corps, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of James A. Hicks, late of Company B, Eleventh Regiment Tennessee Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Samuel S. Conklin, late of U. S. S. Bienville, Sweet Briar, and North Carolina, United States Navy, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Lewis Flick, late of Company K, Eighty-first Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The name of Stephen P. Chase, late of Company H, Eighty-sixth Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Rosanna A. Fitzpatrick, widow of John Fitzpatrick, late of Company F, Nineteenth Regiment New York State Militia Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Benjamin A. Anderton, late of Company H, Thirty-second Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of William H. Steel, late of Company A, Fifth Regiment Kansas Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of George W. Mathis, late of Company H, Eighth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of George T. Gibbs, late of Company K, Fourth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of John Ropp, late of Company F, Twenty-fourth Regiment New York Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of James F. Ellis, late of Company G, One hundred and eighty-fourth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Samuel Snook, late of Company H, Third Regiment Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Elias C. Minlum, late of Company I, Fifty-third Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of James B. Lyon, late of Company D, Seventeenth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of John W. Sheaffer, late of Company D, Seventh-fifth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Catharine Roach, widow of John Roach, late of United States Marine Corps, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Jacob Weaver, late of Company F, Eighty-fifth Regiment Pennsylvania Volunteer Infantry, and Company A, Twenty-second Regiment Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of John A. J. Snyder, late of Company G, One hundred and eighty-fifth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Jacob Konigstein, late of Company M, Seventh Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Joseph T. Lokey, late second and first lieutenant Company E, Tenth Regiment Kentucky Volunteer Cavalry, and late of Company H, Eleventh Regiment Ohio Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Christopher Staffen, late of Company F, Ninetieth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Peter Jagers, late of Company D, First Regiment Pennsylvania Volunteer Rifles, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of John H. Condon, late of Company I, One hundred and ninety-second Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of John Valentine, late of Company A, Fifth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Conrad G. Boehme, late of Company D, Twenty-sixth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Hiram Cornell, late of Companies B and M, Sixty-first Regiment Enrolled Missouri Militia, and pay him a pension at the rate of \$12 per month.

The name of John Coppee, late of U. S. S. Princeton, Wyalusing, and Vermont, United States Navy, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Henry Henke, late of Troop D, First Regiment U. S. Dragoons, and Battery A, Third Regiment U. S. Artillery, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of John M. Stocking, late of Company H, Ninth Regiment Michigan Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of David A. Nations, late of Company G, Fifty-sixth Regiment, and Company K, Eighteenth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Elizabeth A. Blades, widow of Charles S. Blades, late of Company A, First Regiment Eastern Shore Maryland Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

The name of George W. Williams, late of Company H, Twenty-second Regiment New York Volunteer Cavalry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Amos Kiehl, late of Company B, One hundred and forty-second Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of John Scott, late of Company F, Thirty-ninth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Theodore Clark, late of Company A, Seventy-third Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of David J. Bishop, late of Company D, Nineteenth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Hiram E. Hubbard, late of Company E, First Regiment New York Volunteer Engineers, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Abiel H. L. Giffin, late of Company D, Seventh Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Peter Dix, late of Company I, Forty-fifth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Arthur G. McNeill, late of Company D, Fourth Independent Battalion Ohio Volunteer Cavalry, and Company C, One hundred and forty-ninth Regiment Ohio National Guard Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Jacob T. Martin, late of Company A, Seventh Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Patrick Gillin, late of Company C, Third Regiment New York Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Ebenezer N. White, late of Company K, One hundredth Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Francis M. Browning, late of Company I, Sixtieth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of James Hall, late of Company E, Sixteenth Regiment Missouri Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Miner E. Fish, late of Company C, and second lieutenant Company D, Fifth Regiment Vermont Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Jesse Heaton, late of Company H, Twenty-sixth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Henry Birdsong, late of Company E, First Battalion Mississippi Volunteer Mounted Rifles, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Matilda Nicholson, now Mixon, former widow of Jeremiah Nicholson, late of Company F, Sixty-sixth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Samuel South, late of Company B, Thirtieth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Henry T. Hatch, late of Company F, First Regiment Indiana Volunteer Heavy Artillery, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Philander G. West, late of Company G, Third Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Solon Hyde, late hospital steward, Seventeenth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of James B. Dutch, late of Companies B and A, First Regiment Illinois Volunteer Light Artillery, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Rufus H. Brittell, late of U. S. S. Brooklyn, U. S. Navy, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The name of Daniel R. Cone, late paymaster's steward, U. S. S. St. Louis, Western Gunboat Flotilla, and pay him a pension at the rate of \$12 per month.

The name of John Thomas, late of Company E, Fourteenth Regiment Ohio Volunteer Infantry, and Company D, Second Regiment Veteran Reserve Corps, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Perry Knickerbocker, late of Company H, Ninety-first Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Richard H. Williams, alias Richard Lawson, late of Company G, Thirty-second Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Joseph Sizelove, late of Company K, One hundred and fifteenth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$45 per month in lieu of that he is now receiving.

The name of Adolphe R. Candy, late of Company D, Thirty-eighth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Frederick Winter, late first lieutenant Company L, Third Regiment Pennsylvania Volunteer Heavy Artillery, and Company B, One hundred and eighty-eighth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Henry Bischoff, late of Company C, Twentieth Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of John Smith, late of U. S. S. Ino, United States Navy, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Hiram Prusia, late of Company H, One hundred and eleventh Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Isaac Shoemaker, late of Company K, Forty-eighth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Hamilton C. Ingles, late of Company F, Fourteenth Regiment Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Samuel B. Piper, late first lieutenant and adjutant, Third Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The name of Basil D. Prather, late of Company F, Sixth Regiment Kentucky Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Fidelis W. Sweetman, late of Company E, Seventh Regiment Connecticut Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Cephas F. Mosher, late of Company B, Ninth Regiment Kansas Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Mary E. Fisk, widow of Henry C. Fisk, late colonel Sixty-fifth Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of James Ousley, late of Company K, First Regiment Iowa Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Bedford Randolph, late of S. Company A, Tenth Regiment, and Company M, Second Regiment, Missouri Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Nancy Mitchell, widow of John Mitchell, late lieutenant Company I, Forty-first Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Henry K. Price, late of Company C, One hundred and thirty-first Regiment Pennsylvania Volunteer Infantry, and pay him a

pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Oscar Davis, late of Company D, Fifteenth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of John H. Gross, late of Company C, One hundred and eleventh Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Carey W. Howe, late assistant surgeon, One hundred and sixteenth Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Joshua F. Bishop, late second lieutenant and captain Company H, Fourth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Elias Gerberich, late second and first lieutenant Company F, Thirteenth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of James G. Rumbolz, late of Company D, First Regiment Missouri Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Rebecca B. Baker, widow of Gen. T. Baker, late of Company E, Seventy-fourth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

The name of Francisco Lucero, late of Company A, First Regiment New Mexico Militia Infantry, and pay him a pension at the rate of \$12 per month.

The name of Francis M. Hunting, late of Company G, Seventy-fifth Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Peter Boyer, late of Company I, Twenty-second Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Arthur P. Gilman, late of Company B, Twenty-seventh Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Hugh McLaughlin, late of Company A, One hundred and sixth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of John K. Pickens, late of Company A, Thirty-second Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Chauncey F. Mitchell, late captain Company A, Tenth Regiment Pennsylvania Reserve Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The name of Samuel Tilley, late of Company C, Thirty-second Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Milton Edwards, late of Company G, Twenty-ninth Regiment Illinois Volunteer Infantry, and second lieutenant Company H, Sixth Regiment U. S. Colored Volunteer Heavy Artillery, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Jacob Grim, late of Company I, One hundred and fifth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Barney H. Mayfield, late of Company A, Eighteenth Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Andrew B. Shattuck, late of Tenth Independent Battery Massachusetts Volunteer Light Artillery, and Company C, Eleventh Regiment Veteran Reserve Corps, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Clara P. Swift, widow of Ebenezer Swift, late captain and assistant surgeon, United States Army, and pay her a pension at the rate of \$30 per month in lieu of that she is now receiving.

The name of Joseph Freeman, late of Company G, Seventy-first Regiment New York Volunteer Infantry, and U. S. S. Brooklyn and Fort Jackson, United States Navy, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Mary P. Glynn, widow of James G. Glynn, late second lieutenant Company A, One hundred and seventy-fourth Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Ross Rush, late of First Independent Battery, Iowa Volunteer Light Artillery, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Daniel H. Kettering, late of Company E, One hundred and fifth Regiment Pennsylvania Volunteer Infantry, and Signal Corps, U. S. Army, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Benjamin P. Bussom, late of Company D, Twenty-third Regiment New Jersey Volunteer Infantry, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The name of Thomas J. Bennett, late of Company B, Seventeenth Regiment Kentucky Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Charles S. Breese, late of Company L, Sixteenth Regiment New York Volunteer Heavy Artillery, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Sarah E. Murray, helpless and dependent child of Ivory Murray, late of Company I, Twelfth Regiment Maine Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

The name of James Knox, late of Company B, Sixtieth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The name of Catherine Green, widow of Daniel Green, alias David Green, late of Company A, Seventh Regiment Massachusetts Volunteer Infantry, and Company K, Third Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

The name of Lizzie S. Alty, widow of Josiah S. Alty, late of Company G, Thirty-third Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

The name of Isaac D. Pease, late acting ensign, United States Navy, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of James Wildes, late of Company H, First Regiment Kansas Volunteer Infantry, and Company B, First Regiment Kansas Volunteer Mounted Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

Mr. SULLOWAY. Mr. Speaker, on page 9, I move to amend by striking out lines 11, 12, 13, and 14. The beneficiary is dead.

The Clerk read as follows:

Amend by striking out on page 9 lines 11, 12, 13, and 14.

The question was taken, and the amendment was agreed to.

Mr. SULLOWAY. Also, on page 20, Mr. Speaker, I move to strike out lines 17, 18, 19, and 20. The beneficiary is dead.

The Clerk read as follows:

Amend by striking out on page 20 lines 17, 18, 19, and 20.

The question was taken, and the amendment was agreed to.

The bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

PENSIONS TO CERTAIN SOLDIERS AND SAILORS OF CIVIL WAR.

The next business on the Private Calendar was the bill (H. R. 23850) granting pensions and increase of pensions to certain soldiers and sailors of the civil war and certain widows and dependent relatives of such soldiers and sailors.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws—

The name of Alcott Stover, late of Company E, Second Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of W. H. Twiford, late surgeon, Twenty-seventh Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The name of John A. Wilcox, late of Company K, Seventh Regiment Maine Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Lewis C. Queen, late of Captain Damron's Independent company, Virginia Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Martha E. Gilbreath, widow of Josiah E. Gilbreath, late of Captain Gilbreath's company, Alabama Scouts and Guides, and pay her a pension at the rate of \$12 per month.

The name of James Cupps, late of Company E, One hundred and first Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of James Hendershot, late of Company M, Second Regiment New Jersey Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of William F. McCutcheon, late of Company B, One hundred and fifteenth Regiment, and Company G, One hundred and thirty-third Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of George Mehringer, late of Company K, Twenty-seventh Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of William A. Dobbins, late of Company B, One hundred and twenty-fourth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of John F. Moyer, late of Company B, One hundred and fifteenth Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Timothy Johnson, late of Company G, Tenth Regiment Kentucky Volunteer Cavalry, and Company C, Fifty-fourth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Charles May, late of Company I, Thirty-ninth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Melissa W. Pitcher, former widow of Francis Wheeler, late of Company H, First Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

The name of Chauncey H. Graves, late of Company A, Sixty-eighth Regiment Illinois Volunteer Infantry, and first lieutenant Company K, One hundred and fifty-fourth Illinois Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of William H. Tripp, late of Company H, Fourth Regiment Maine Volunteer Infantry, and second lieutenant Company H, Nineteenth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Parker Green, late of Company G, Seventeenth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of James H. Clutts, late of Company E, Fourteenth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Thomas Lewis, late of Company C, Sixteenth Regiment New York Volunteer Heavy Artillery, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of John Ashmore, late of Company G, Eleventh Regiment Ohio Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Jacob E. Dreifelbies, late of Company D, Sixth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Jacob Sappenfield, late of Company K, Fifteenth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of George B. Cock, late of Company F, Fourth Regiment Ohio Volunteer Infantry, and captain Company G, Fifth Regiment United States Colored Volunteer Infantry, and pay him a pension at the rate of \$45 per month in lieu of that he is now receiving.

The name of Austin P. Maguire, late adjutant, Tenth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of James E. Scott, late of Company F, Twenty-first Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Edward Gooly, late of Company F, Sixteenth Regiment New York Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Elizabeth A. Gold, widow of Peter H. Gold, late of Company F, Third Regiment Ohio Volunteer Cavalry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Alexander Guyon, late of Company A, Fifth Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of John M. McKee, late of Company M, Sixth Regiment Pennsylvania Volunteer Heavy Artillery, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Alice B. Moore, widow of Pliny Moore, late captain Company C, Sixteenth Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$30 per month in lieu of that she is now receiving.

The name of Henry C. Edmiston, late of Company E, Twenty-first Regiment Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of William H. Storey, late of Company F, Seventh Regiment Iowa Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of James H. Quackenbush, late of Company E, First Regiment New York Volunteer Engineers, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Barney O. Flinn, late of Company I, Eleventh Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Rufus M. Liggett, late of Company D, First Regiment United States Colored Volunteer Heavy Artillery, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of George W. Drummond, late of Company B, One hundred and seventeenth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Richard Welch, late of Company E, One hundred and fifty-seventh Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Catherine Sasse, former widow of George Imwalle, late of Company D, Fourth Regiment Ohio Volunteer Cavalry, and pay her a pension at the rate of \$12 per month.

The name of Henry B. Arnold, late hospital steward, Two hundred and eleventh Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Florence H. Porter, widow of John B. Porter, late quartermaster-sergeant, One hundred and ninety-fifth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

The name of David Leadbetter, late of Company L, Twelfth Regiment Ohio Volunteer Cavalry, and pay him a pension at the rate of \$45 per month in lieu of that he is now receiving.

The name of Charles W. Mann, late of independent company, Dennison Guards, Ohio Volunteer Infantry, and Company M, Second Regiment Ohio Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Joshua J. Brown, late of Company L, Eleventh Regiment Missouri Volunteer Cavalry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Selden M. French, late of Company F, Twelfth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of \$20 per month in lieu of that he is now receiving.

The name of Christian Kaiser, late of Company E, Third Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of George F. Wattson, late of Company K, Fifth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Joseph Dulieu, late of Company A, Seventeenth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of John W. Smith, late of Company C, Ninety-first Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of George W. Klinesmith, late of Company H, Twenty-ninth Regiment Pennsylvania Volunteer Infantry, and first lieutenant Battery H, First Regiment West Virginia Volunteer Light Artillery, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Adolphe Legout, late of Company D, Thirty-second Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Henry S. Briggs, late of Company A, First Regiment New York Volunteer Light Artillery, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of George F. Hood, late of Company E, Eleventh Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Susan C. Crary, widow of Arthur B. Crary, late of Company E, One hundred and thirty-eighth Regiment Ohio National Guard Infantry, and pay her a pension at the rate of \$24 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Arthur B. Crary, helpless and dependent son of said Arthur B. Crary, the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Susan C. Crary the name of said Arthur B. Crary shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of \$12 per month from and after the date of death of said Susan C. Crary.

The name of John Akerman, late first lieutenant Company I, Forty-sixth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Edward B. Wright, late of Company B, Eighth Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of \$40 per month in lieu of that he is now receiving.

The name of Thomas B. Rogers, late of Company I, Forty-fourth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Pleasant A. Cashon, late assistant surgeon, Sixth Regiment Tennessee Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Hugh H. B. McMaster, late sergeant-major, First Regiment Minnesota Volunteer Heavy Artillery, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Thomas L. McDonald, late of Company B, Forty-first Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Herman Lerner, late of Company C, One hundred and seventh Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Hyrcanus Highley, late of Company C, Fifteenth Regiment Kansas Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of John A. Flint, late of U. S. S. Ohio, Gemsbok, and North Carolina, U. S. Navy, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of James H. Pike, late of Company D, First Regiment Maine Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Benjamin M. Redlon, late captain Company B, Twenty-ninth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Lewis Grant, late of Company H, One hundred and forty-third Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Almira Goetchins, widow of Newton Goetchins, late of Company A, One hundred and twenty-fourth Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Nelson S. Bowdish, late first lieutenant, Battery M, Third Regiment New York Volunteer Light Artillery, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The name of Jesse F. Camp, late of Company H, One hundred and twenty-fourth Regiment New York Volunteer Infantry, and One hundred and tenth Company, Second Battalion, Veteran Reserve Corps, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of James A. Finney, late of Company K, Fifty-eighth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Franklin Weidler, late of Company A, Ninety-ninth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Samuel Martin, late of Company K, Eighty-eighth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of John McCausland, late of Company C, Sixth Regiment Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of John H. Ormsby, late of Company B, Seventh Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of George Hecock, late of Company A, Thirty-fourth Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Jacob F. Bradt, late of Company K, Eightieth Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Henry F. Carr, late of ordnance detachment, Watervliet Arsenal, United States Army, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Thomas Saunders, late of Company A, Twelfth Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of William W. Thayer, late of Company D, Thirtieth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Wellington Harder, late of Company B, Ninety-fifth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of William Wood, late of Company B, Fifteenth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of William Agnew, late of Battery D, First Regiment Illinois Volunteer Light Artillery, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of John Buchanan, late of Company F, Thirty-fourth Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Edwin H. Atwood, late of Company I, Twenty-seventh Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Isaac A. Pearce, late first lieutenant Company E, and chaplain, One hundred and thirty-ninth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Andrew S. Johnston, late of Company L, Ninth Regiment Iowa Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of William R. Ingalls, late of Company B, Seventh Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Eveline Aiken, widow of Dwight A. Aiken, late captain and commissary of subsistence, United States Volunteers, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The name of Richard Vaughn, late of Company E, Ninth Regiment Kentucky Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of William E. Oldham, late first lieutenant Company A, Twenty-first Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Nicholas J. Snyder, late of Company D, Fourth Regiment U. S. Artillery, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of John Henley, late of Company B, Fifty-eighth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Ward Haines, late of Company A, Eighth Regiment U. S. Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Perry Klipp, late of Company L, Third Regiment Pennsylvania Volunteer Heavy Artillery, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Pulaski Fraker, late of Company I, Third Regiment Wisconsin Volunteer Cavalry, and Company G, Twenty-second Regiment Veteran Reserve Corps, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of John W. Mefford, late of Company C, Second Regiment Ohio Volunteer Heavy Artillery, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Sylvester C. Smith, late of Battery D, First Regiment Michigan Volunteer Light Artillery, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Kate C. Simkins, former widow of Thomas G. MacNeill, alias Thomas G. Connor, late of U. S. S. Agawan, United States Navy, and pay her a pension at the rate of \$12 per month.

The name of Enos W. Ruland, late first lieutenant Company B, One hundred and second Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$12 per month.

The name of John M. Lukens, late of Company C, Thirty-sixth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Merritt Tompkins, late of Company M, Second Regiment Pennsylvania Volunteer Heavy Artillery, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of William S. Lessig, late of Company K, Twenty-first Regiment Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of James H. Conner, late of Company F, Eighty-sixth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Isaac N. Coakley, late of Company D, Seventeenth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of William Fay, late unassigned, Second Regiment Massachusetts Volunteer Heavy Artillery, and Company D, Seventeenth Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Ephraim Plumptre, late of Company C, First Regiment New Hampshire Volunteer Cavalry, and pay him a pension at the rate of \$60 per month in lieu of that he is now receiving.

The name of John Bracey, late of Company I, Sixteenth Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The name of Horatio W. Longa, late of Company M, First Regiment New Hampshire Volunteer Heavy Artillery, and pay him a pension at the rate of \$60 per month in lieu of that he is now receiving.

The name of Elam T. Heatherly, late of Company E, Eleventh Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Hiram H. Fisher, late of Company C, Eighty-eighth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Henry Berger, late of Company E, One hundred and forty-third Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Oliver D. Bemis, late of Company K, Fifth Regiment Vermont Volunteer Infantry, and Company H, Fourth Regiment Vermont Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of William H. H. Tighman, late of Company F, Third Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Spencer C. Williams, late of Company I, First Regiment Michigan Volunteer Engineers and Mechanics, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Michael B. Van Buskirk, late of Company H, One hundred and seventy-sixth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of William H. Darnell, late of Company D, Thirty-sixth Regiment Iowa Volunteer Infantry, and Company H, Twenty-first Regiment Veteran Reserve Corps, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Joseph Linenkugel, alias Lincogen, late of Company D, Second Battalion, Eighteenth Regiment U. S. Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of William Romosier, late of Company H, One hundred and thirteenth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Jesse S. Clum, late of Company C, and first lieutenant Company D, One hundred and eighteenth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Cyrus D. McCaskey, late of Company B, Seventy-ninth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of Cephas C. Miller, late of Company G, Tenth Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Laban A. Timmons, late of Company A, One hundred and twenty-third Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The name of George S. Connor, late captain Company A, One hundred and fourth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Levis T. Houk, late of Company H, Ninth Regiment Pennsylvania Reserve Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Arthur Gorman, late of Company I, Ninth Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Charles J. Nelson, late of Company A, Second Regiment Minnesota Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The name of Benjamin S. Waggener, late of Company A, Third Regiment Missouri Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

Mr. SULLOWAY. Mr. Speaker, I move to amend, on page 4, line 5, by changing the spelling from "Graves" to "Groves."

The Clerk read as follows:

Page 4, line 5, change the spelling of the name from "Graves" to "Groves."

The question was taken, and the amendment was agreed to.

Mr. SULLOWAY. Mr. Speaker, I also move, on page 13, lines 5 and 6, to change the spelling of the name from "Goetchins" to "Goetchius."

The Clerk read as follows:

Page 13, lines 5 and 6, change the spelling of the name from "Goetchins" to "Goetchius."

The question was taken, and the amendment was agreed to.

Mr. SULLOWAY. Mr. Speaker, I also move, on page 15, line 3, to strike the letter "u" out of the name "Saunders," so as to make it read "Sanders."

The Clerk read as follows:

Page 15, line 3, strike the letter "u" out of the word "Saunders."

The question was taken, and the amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed.

PENSIONS TO SOLDIERS AND SAILORS OF THE REGULAR ARMY AND NAVY.

The next business was the bill (H. R. 24344) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the civil war, and to widows and dependent relatives of such soldiers and sailors.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws—

The name of Samuel H. Thacker, late of Company A, Second Regiment Tennessee Volunteer Infantry, war with Spain, and pay him a pension at the rate of \$12 per month.

The name of Robert Fitzgerald, late of Captain Pickett's company, Florida Mounted Volunteers, Florida Seminole Indian war, and pay him a pension at the rate of \$16 per month in lieu of that he is now receiving.

The name of Norman Statham, late of Captain Pickett's company, Florida Mounted Volunteers, Florida Seminole Indian war, and pay him a pension at the rate of \$16 per month in lieu of that he is now receiving.

The name of James A. Woodward, late of band, Twentieth United States Infantry, war with Spain, and pay him a pension at the rate of \$12 per month.

The name of Shadrach Hudson, late of Capt. W. W. Chapman's company (I), Second Regiment Oregon Mounted Volunteers, Oregon and Washington Territory Indian war, and pay him a pension at the rate of \$16 per month in lieu of that he is now receiving.

The name of Daniel A. Brown, late of Company F, Sixth Regiment U. S. Infantry, and pay him a pension at the rate of \$12 per month.

The name of Harriet H. Hardwick, widow of Pleasant F., who served as B. F. Hardwick, late of Captain Lucas's company, Georgia Volunteers, Creek Indian war, and pay her a pension at the rate of \$12 per month.

The name of Sebe N. Scott, late of Company G, Thirty-eighth Regiment U. S. Volunteer Infantry, war with Spain, and pay him a pension at the rate of \$12 per month.

The name of James H. McMillen, late of Captain Lee's company, First Regiment Oregon Riflemen, Cayuse Indian war, and pay him a pension at the rate of \$16 per month in lieu of that he is now receiving.

The name of Allen Philpot, who served as William Philpot, late of Capt. John Witcher's company, Georgia Mounted Volunteers, Cherokee Indian disturbances, and pay him a pension at the rate of \$8 per month.

The name of George W. F. Reeve, late of Company D, Twelfth Regiment U. S. Infantry, war with Mexico, and pay him a pension at the rate of \$20 per month.

The name of Archibald McN. Harrison, late of Capts. H. Wilber and T. R. Cornelius's company (D), First Regiment Oregon Mounted Volunteers, Oregon and Washington Territory Indian war, and pay him a pension at the rate of \$16 per month in lieu of that he is now receiving.

The name of Allen Kirk, late of Capt. J. K. Kelly's company (C), First Regiment Oregon Mounted Volunteers, Oregon and Washington Territory Indian war, and pay him a pension at the rate of \$16 per month in lieu of that he is now receiving.

The name of William Willingham, late of Captain McNeill's independent company, Florida Mounted Volunteers, Seminole Indian war, and pay him a pension at the rate of \$16 per month in lieu of that he is now receiving.

The name of Isaac A. Redd, late of Lieutenant Addison's company, Florida Mounted Volunteers, Florida Seminole Indian war, and pay him a pension at the rate of \$16 per month in lieu of that he is now receiving.

The name of Allen D. Douglass, late of Captain Smith's company, Florida Volunteers, Florida Indian war, and pay him a pension at the rate of \$16 per month in lieu of that he is now receiving.

The name of Charles Calvin Eaton, late of U. S. S. John Hancock, United States Navy, Oregon and Washington Territory Indian wars, and pay him a pension at the rate of \$16 per month in lieu of that he is now receiving.

The name of Isaac V. Mossman, late of Captains Hayden's and Burch's companies, Oregon Volunteers, Yakima Indian war, and pay him a pension at the rate of \$16 per month in lieu of that he is now receiving.

The name of James Orr, late of field and staff band, Fourth Regiment U. S. Infantry, Oregon and Washington Territory Indian wars, and pay him a pension at the rate of \$16 per month in lieu of that he is now receiving.

The name of William Lane, late of Capt. W. H. Wallace's company (D), First Regiment Washington Territory Volunteers, Oregon and Washington Territory Indian wars, and pay him a pension at the rate of \$16 per month in lieu of that he is now receiving.

The name of James T. Phillips, late of Company C, Second Regiment Washington Territory Volunteers, Oregon and Washington Territory Indian wars, and pay him a pension at the rate of \$16 per month in lieu of that he is now receiving.

The name of Samuel Fox, late of Capt. W. A. Wilkinson's company (F), Second Regiment Oregon Mounted Volunteers, Oregon and Washington Territory Indian wars, and pay him a pension at the rate of \$16 per month in lieu of that he is now receiving.

Mr. LOUDENSLAGER. Mr. Speaker, I move to amend, on page 2, line 8, by inserting, after the word "Twentieth," the word "Regiment."

The Clerk read as follows:

Page 2, line 8, after the word "Twentieth," insert the word "Regiment."

The question was taken, and the amendment was agreed to.

Mr. LOUDENSLAGER. On the same page, Mr. Speaker, line 20, after the word "Company," amend by adding the words "Second Regiment."

The Clerk read as follows:

Page 2, line 20, after the word "Company," amend by inserting the words "Second Regiment."

The question was taken, and the amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed.

On motion of Mr. LOUDENSLAGER, the several votes by which the bills were passed were laid on the table.

ORDER OF BUSINESS.

Mr. PRINCE. Mr. Speaker, is it in order for the House to go into Committee of the Whole House for the consideration of bills on the Private Calendar?

The SPEAKER. While this is Thursday in the week, it is Friday under the rule adopted by unanimous consent, just the same as it would be on any other Friday, when private bills are in order. Therefore the motion would be in order.

Mr. PRINCE. Mr. Speaker, I make that motion—that the House resolve itself into Committee of the Whole House to consider business on the Private Calendar.

Mr. MANN. Of course the motion would have to be to consider bills on the Private Calendar, under the rule.

The SPEAKER. It would have to be under the rule.

Mr. MANN. The motion was not put that way, and it might not be construed that way.

The SPEAKER. Of course, all the rules are in force and all business must be considered under the rules, unless by unanimous consent.

Mr. MANN. I take it that if the House went into Committee of the Whole now it would be on any bill on the Private Calendar?

The SPEAKER. The motion is to go into Committee of the Whole for consideration of bills on the Private Calendar.

Mr. PRINCE. Following the language of the rule itself.

Mr. MANN. But the motion is not made "under the rule."

The SPEAKER. Well, the Chair does not see that it would hurt to add to the motion the words "under the rule."

Mr. FITZGERALD. But on one Friday a certain class of business is in order, and on another Friday another class is in order, but only the class of bills which would be in order on pension day.

The SPEAKER. The gentleman from New York will recollect that the rule has been, and as the Chair recollects the practice of the House has been, that after all pension bills on the Private Calendar to-day are disposed of the House can go ahead in the Committee of the Whole House to consider other bills, it being still Friday.

Mr. DAWSON. Mr. Speaker, without reference to the motion of the gentleman from Illinois, would it not be in order to call up for consideration desertion cases that are on the Private Calendar?

Mr. FITZGERALD. They have the preference.

The SPEAKER. The Chair's recollection of the rule is that, this being pension day, and the business of pensions having been concluded by the House, it would first be in order on to-day to take up desertion cases which are passed with pension bills, and then it would be in order, if they should be finished, to consider the Private Calendar generally.

Mr. MANN. A parliamentary inquiry, Mr. Speaker. The reason I called attention to the form of the motion a while ago was as to whether a motion to go into Committee of the Whole on the Private Calendar would give to the committee the authority to take up such bills on the calendar as the committee pleases, or whether they are limited to taking up first bills from the committees other than claims and war claims, two days being especially set apart for claims and war claims. Heretofore it has been the custom—

The SPEAKER. The gentleman is in error. This is pension day. Now, that business having been concluded, it would be in order, as the Chair understands, for the House to go into Committee of the Whole for the consideration of bills upon the Private Calendar; and under the rules of the House, this being pension day, the desertion bills would have first right of way, pension bills having been concluded; and if that right of way

is not claimed, or if that order of business should be finished, then any other bills on the Private Calendar would be in order, as the Chair understands.

Mr. MANN. But if the Chair will permit, my recollection is that on pension day it has been the custom and practice to take up bills on the Private Calendar reported from committees other than claims and war claims. I may be mistaken about that.

The SPEAKER. Under the rule pension bills formerly took up all day. Latterly they have not taken up all day, and the House has not seen proper to go into the committee to consider other bills in order; but under the rule it is quite within the power of the House, in the opinion of the Chair, to go now into the Committee of the Whole House for private business, or to do anything else that it desires to do.

Mr. MANN. In order that we may have a distinct proposition before the House, I beg leave to call the attention of the Chair to the fact that originally the rule provided that Friday in every week shall be set apart for consideration of private bills, unless otherwise determined by the House.

The SPEAKER. Yes.

Mr. MANN. Then the House adopted a rule setting apart the second and fourth Fridays:

The second and fourth Fridays shall be set apart for the consideration of private pension bills, bills for the removal of political disabilities, and bills removing charges of desertion.

Thereafter the House provided by resolution that the second and fourth Friday of each month it shall be in order to proceed to the consideration of private business according to the old rule, giving preference one week to war claims and the other week to claims. Now, it seems to me that when the House specifically provided that certain days should be set apart for claims and war claims, it intended to and did abrogate the original rule setting apart every Friday for the Private Calendar.

The SPEAKER. The Chair thinks that all the rules should be considered, so as to let each one operate, if practicable.

Friday in every week shall be set apart for the consideration of private business, unless otherwise determined by the House.

Subsequently the two Fridays spoken of were dedicated for pensions. Now, if pension business is completed, under the rule which the Chair has just read it seems to the Chair, and it has been so held, as the Chair recollects, that it is in order for the House, under the rule just read, to take up any business on the Private Calendar in order, as provided by the rule.

Mr. MANN. A further parliamentary inquiry. Last week—I think preceding Friday—the gentleman from New Hampshire [Mr. SULLOWAY], as I recollect, asked unanimous consent that Thursday of this week might be set apart for the consideration of pension bills on the Private Calendar.

Mr. WALDO. Mr. Speaker, that is a mistake.

The SPEAKER. The Chair will answer that suggestion. It was dedicated the same as a Friday, when pensions are in order, and for that purpose it is Friday, by unanimous consent. The gentleman from Illinois [Mr. PRINCE] moves that the House resolve itself into the Committee of the Whole House for the consideration of business on the Private Calendar under the rule.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the Private Calendar, with Mr. CAPRON in the chair.

The CHAIRMAN. The House is in Committee of the Whole House for the consideration of bills on the Private Calendar.

Mr. PRINCE. Mr. Chairman, in order to have the matter settled properly before the House, I ask for the present consideration of the bill H. R. 12760.

Mr. MANN. Let us have the bills in the regular order.

The CHAIRMAN. The Chair will state that the regular order will first be bills removing charges of desertion.

Mr. PRINCE. That is exactly the motion I have made, if gentlemen will not be too previous, as they sometimes are.

The CHAIRMAN. The regular order, further, will be to take up such bills in their regular order as are on the calendar, unless it be by a vote of the committee to take up some special bill.

Mr. PRINCE. I am willing to take them in the regular order.

Mr. DAWSON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. DAWSON. Is the bill the gentleman from Illinois proposes to call up the first case of desertion on the calendar?

Mr. PRINCE. I do not know. I know it is the first bill on the calendar where a Member who has the bill in charge of that character is present.

Mr. MANN. What is the number?

Mr. PRINCE. H. R. 12760, Calendar No. 985.

Mr. DAWSON. Calendar No. 934 is the first desertion case on the calendar—H. R. 14343—and I make the motion that that be laid before the House.

The CHAIRMAN. If there is no earlier bill, the Clerk will read the bill (H. R. 14343) to correct the naval record of Randolph W. Campbell.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Navy be, and he is hereby, authorized and directed to remove the charge of desertion from the naval record of Randolph W. Campbell and issue to said Randolph W. Campbell, or his heirs, an honorable discharge from said service as of April 16, 1863, in recognition of his three years' subsequent faithful service in the United States Army.

With the following committee amendment:

In line 6 of the bill strike out the words "an honorable" and insert in lieu thereof the word "a."

Mr. DAWSON. Mr. Chairman, if no one desires to ask any question, I move that the bill be laid aside to be reported to the House with a favorable recommendation.

Mr. MANN. I think we ought to have an explanation. The report does not speak very favorably of the case.

The CHAIRMAN. The question is on the committee amendment.

Mr. MANN. The first question is if the committee wants general debate as to whether the bill ought to be favorably considered. The report in this case does not indicate a very favorable case, and I wish the gentleman in charge of the bill would give some explanation of it.

Mr. DAWSON. Mr. Chairman, if the gentleman from Illinois really desires an explanation of the case, I should be glad to give it.

Mr. MANN. I will yield to the gentleman for the purpose. I have no desire to take up unnecessarily the time of the House.

Mr. DAWSON. Mr. Chairman, this is a case which comes clearly within the rule adopted by the Military and the Naval committees in considering cases of this kind. This boy, 16 or 17 years old, enlisted in the navy in October, 1862, and served faithfully until April, 1863, at which time he came ashore at New York. It should be remembered all along that he was only a boy of 16 or 17 years of age. On coming ashore he fell in with a lot of boarding-house runners and others and was shanghaied. When he regained consciousness he found himself on a merchant ship bound for China. Of course there was no way for him to return to his country and complete his enlistment in the navy. When he did return to this country, however, his enlistment in the navy had expired. He had been at home only a few days—and this shows his good intention—when he reenlisted in the army and served until after the close of the war and was honorably discharged September 22, 1865.

Now, it seems to the Naval Committee that it is only an act of simple justice that he should be given a discharge from the service in the navy.

Mr. MANN. Mr. Chairman, the gentleman's explanation seems to be very satisfactory, and it would seem to me that if the case is such that it ought to be acted on favorably at all, it ought to be acted on more favorably. This proposition now before the committee will not do the gentleman a particle of good. What is it? It is to give him a discharge, not an honorable discharge. If he is entitled to any action from Congress, he is entitled to an honorable discharge. He now has a dishonorable discharge, and that is all this committee proposes to give him.

Mr. DAWSON. If the gentleman will permit me—under the regulations of the Navy Department, the word "honorable" preceding discharge gives a man additional privileges and pay in case of reenlistment in the navy. The members of our committee would be very glad indeed to allow the word "honorable" to remain in; but as I say, under the regulations of the Navy Department where a man is granted an honorable discharge the years he has served prior to that discharge are counted in reckoning his pay.

Mr. MANN. If the man reenlists. Does the gentleman from Iowa think there is any danger of a civil war veteran now reenlisting in the navy and being accepted?

Mr. DAWSON. I do not.

Mr. MANN. Is not the real purpose of this bill, first, to give the man an honorable status among his neighbors, and, second, to permit him to apply for a pension, neither one of which will he obtain if the recommendation of the committee be adopted? If the gentleman will permit me, at the last session of Congress, in every case that came up from the Committee on Naval Affairs, where we struck out the word "honorable" and the bill was passed at all, the committee retained the word "honorable," believing that if anything was to be done in behalf

of the man justice ought to be done, and justice does not go half way.

Mr. DAWSON. Mr. Chairman, I shall be very glad to accept the amendment intended to be proposed by the gentleman from Illinois.

Mr. MANN. All that is needed is to vote down the amendment offered by the gentleman's committee. That is the reason I call attention to the case.

Mr. DAWSON. I will say for the benefit of the House that the word "honorable" in all the bills reported from the Naval Committee has been stricken out at the request of the Secretary of the Navy, in accord with the policy of that department, and I will say further that I think the bill in terms as it is before the House will carry the benefits which the claimant expects.

Mr. MANN. Oh, no; the statute requires before you can get a pension that you must have an honorable discharge.

Mr. DAWSON. But, Mr. Chairman, this claimant has an honorable discharge from the military service. This bill would straighten out his naval service.

Mr. MANN. But the rule is that he must have an honorable discharge for each service in which he enlisted. One honorable discharge does not do a man any good unless he has an honorable discharge each time.

Mr. DAWSON. For my part I should be very glad to see the word "honorable" in there, although I do not desire to jeopardize the success of this bill after it has passed both Houses of Congress.

Mr. MANN. I do not believe in presenting a gold brick to a man and calling it gold.

Mr. GRONNA. Mr. Chairman, I want to ask the gentleman from Iowa [Mr. Dawson] whether, if this bill was passed, this man would be entitled to a pension.

Mr. DAWSON. I think so, in its present form, although I should prefer to grant this man an honorable discharge.

Mr. MANN. Vote down the committee amendment. That is easy.

The CHAIRMAN. The question is on the committee amendment.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The question is, Shall the bill be laid aside with a favorable recommendation?

The question was taken, and the bill was ordered to be laid aside with a favorable recommendation.

MESSAGE FROM THE SENATE.

The committee informally rose, and Mr. FOSTER of Vermont having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Crockett, its reading clerk, announced that the Senate had further insisted upon its disagreement to the amendments of the House of Representatives to the bill (S. 6155) to provide for an enlarged homestead, had agreed to the further conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. SMOOT, Mr. CLARK of Wyoming, and Mr. McLAURIN as the conferees on the part of the Senate.

The message also announced that the Senate had passed the following resolution, in which the concurrence of the House of Representatives was requested:

Senate concurrent resolution 52.

Resolved by the Senate (the House of Representatives concurring), That a joint committee consisting of three Senators and three Representatives, to be appointed by the President of the Senate and the Speaker of the House of Representatives, respectively, is authorized to make the necessary arrangements for the inauguration of the President-elect of the United States on the 4th day of March next.

ROBERT S. DAME.

The committee resumed its session.

Mr. BATES. Mr. Chairman, I desire to call up the bill (H. R. 10606) for the relief of Robert S. Dame, Calendar No. 946. The gentleman from New Jersey [Mr. PARKER], of the Military Committee, reported the bill and has charge of it. I see now that the gentleman from New Jersey [Mr. PARKER] is in the Chamber. I did not know that he was here when I called up the bill.

Mr. PRINCE. For that reason I question whether any other Member not authorized by the Military Committee to do so can call up a bill when the bill has been authorized to be called up by a member of the Military Committee.

Mr. BATES. Oh, it is my bill.

Mr. PRINCE. That does not make any difference. The gentleman has no authority to call up the bill.

The CHAIRMAN. The Chair thinks that any Member can call up a bill that is properly on the Calendar which is in order under the rules.

Mr. PARKER. Mr. Chairman, I ask for the reading of the bill.

The CHAIRMAN. The Clerk will report the bill.

The Clerk read as follows:

That Robert S. Dame shall be held and considered to have been honorably discharged from the military service of the United States as a second lieutenant, Company D, First U. S. Veteran Volunteers, and that the Secretary of War be, and he is hereby, authorized to issue him a certificate of honorable discharge: *Provided*, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act.

Mr. PERKINS. Mr. Chairman, I rise to a parliamentary inquiry. I would like to know by what rule of procedure the bills that are being taken up are called?

The CHAIRMAN. By their position upon the Calendar.

Mr. MANN. Mr. Chairman, I make the point of order on this bill. This is not a bill for the removal of the charge of desertion. This man was court-martialed and dismissed from the army.

The CHAIRMAN. The Chair will state to the gentleman from Illinois that the Chair will recognize that this bill is properly before the House.

Mr. MANN. I call the attention of the Chair to page 3 of the report of the committee under the heading "Charge 2," wherein he was found guilty of both charges and specifications and was sentenced to be dishonorably discharged from the service of the United States, with loss of all pay and allowances.

Mr. ROBERTS. With what was he charged?

Mr. MANN. He was court-martialed.

Mr. ROBERTS. They charged him with desertion.

Mr. PARKER. Mr. Chairman, I will state the case in a few words. It is for an honorable discharge. This lieutenant served over four years, and he had gone up to his home while his company was being mustered out, and they sent word to him to come back, and he sent in his resignation as they were being mustered out in 1866, and then they took him back and court-martialed him at that time and dismissed him from the army.

Mr. ROBERTS. On what charge?

Mr. PARKER. On the charge of absence without leave.

Mr. ROBERTS. That is practically desertion.

Mr. PARKER. Well, he resigned while on a week's leave.

Mr. MANN. This is not to remove the charge of desertion. The man was court-martialed—

Mr. PARKER. It is very hard to get a chance to be heard in the confusion. I trust the gentleman will not make any objection to this very deserving case.

Mr. MANN. I have no objection to this case being considered in its proper place.

Mr. PARKER. Well, we are all ready to consider it now, and it takes less time to consider it at this time and conclude the matter, and I ask the gentleman to withdraw his objection and let it go through by unanimous consent.

Mr. MANN. If the gentleman desires to pass it by unanimous consent I will withdraw the point of order.

Mr. PARKER. I ask unanimous consent that this bill be passed.

The CHAIRMAN. The gentleman from New Jersey asks unanimous consent that this bill be laid aside with a favorable recommendation. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

ISAAC N. FORDYCE.

Mr. PRINCE. Mr. Chairman, I call up the bill (H. R. 12760) to correct the military record of Isaac N. Fordyce.

The Clerk read as follows:

Be it enacted, etc., That Isaac N. Fordyce shall hereafter be held and considered to have been honorably discharged from Captain Gilmore's company, First Regiment West Virginia Volunteer Cavalry, as of date of November 19, A. D. 1862.

The committee amendment was read, as follows:

Provided, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act.

Mr. PRINCE. Mr. Chairman, I ask unanimous consent that this bill be laid aside with a favorable recommendation.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that this bill as amended be laid aside with a favorable recommendation. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

LAFAYETTE L. M'KNIGHT.

Mr. PRINCE. Mr. Chairman, I call up the bill (H. R. 16015) for the relief of Lafayette L. McKnight.

The Clerk read the bill, as follows:

Be it enacted, etc., That Lafayette L. McKnight, also borne as Lafayette McKnight, be held and considered to have served as a private in Captain Brooks's company, Mechanic Fusiliers, later designated as

the Fifty-sixth Illinois Infantry, from October 20, 1861, to January 28, 1862, and to have been honorably discharged therefrom.

Mr. PRINCE. Mr. Chairman, I ask unanimous consent that this bill be laid aside with a favorable recommendation.

Mr. MANN. Mr. Chairman, may I ask my colleague to make a statement? It would appear, of course, this man was not mustered into the service, and even the term that he purports to have been in the service would not reach the term under which a man can obtain a pension—ninety days.

Mr. PRINCE. All I can say to my colleague is this: That this person was on the pension roll and drew a pension for a great number of years. Under the searching examination made by our former colleague, the present Commissioner of Pensions, a number of persons like this pensioner or applicant were dropped from the rolls. The Commissioner of Pensions appeared before our committee and urged in person that this one be placed back upon the rolls, as under the evidence before the Pension Bureau, as well as affidavits on file with the committee, he ought to be mustered in and given a place upon the pension rolls, for he was disabled while in the line of duty before he could be mustered into service. Largely upon the recommendation of the Commissioner of Pensions himself, who appeared before the committee, the committee made this favorable report, and I trust the House will lay the bill aside with a favorable recommendation.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that this bill be laid aside with a favorable recommendation. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

The Clerk will report the next bill on the calendar.

Mr. ROBERTS. Mr. Chairman, if there are no more bills dealing with desertion cases, I call for the regular order.

The CHAIRMAN. The Chair will state to the gentleman that there are other bills dealing with desertion.

Mr. ROBERTS. Then bring them up; the last bill was not a desertion case.

The CHAIRMAN. It was considered by unanimous consent.

Mr. ROBERTS. The gentleman got the floor and brought the bill up before we realized what the bill was. I shall object to any more bills which do not deal with desertion if taken up out of their order.

The CHAIRMAN. The Clerk will report the next bill which deals with the matter of desertion.

THEODORE F. NORTHPROP.

The next business on the Private Calendar was the bill (S. 2253) for the relief of Theodore F. Northrop.

The Clerk read the bill, as follows:

Be it enacted, etc., That Theodore F. Northrop, late first lieutenant, Second Regiment New York Cavalry Volunteers, shall be held and considered to have been a captain of cavalry, in command of scouts in the army of General Sherman, from September 10, 1864, to May 22, 1865; and the Secretary of War is authorized to issue to said Northrop a certificate of such service and of honorable discharge in accordance with this act: *Provided*, That no pay, bounty, or other allowance shall become due and payable by reason of this act.

The substitute committee amendment was read, as follows:

That Theodore F. Northrop, late first lieutenant, Second Regiment New York Cavalry Volunteers, and who commanded a body of mounted military scouts in the army of General Sherman from January 3, 1865, to March 31, 1865, shall be held and considered to have been an officer of the Volunteer Army during that time, for the purpose of an application for a medal of honor: *Provided*, That no pay, bounty, or other allowance shall become due or payable by virtue of this act.

Mr. ROBERTS. I object, Mr. Chairman.

Mr. PARKER. Mr. Chairman, I wrote that bill myself, and I do not think it is a desertion case.

Mr. ROBERTS. Mr. Chairman, I call for the regular order if there are any Members desiring to bring up desertion cases.

The CHAIRMAN. It was an error. The Clerk will report the next bill.

GEORGE W. HEDRICK.

The next business on the Private Calendar was the bill (H. R. 7006) to correct the military record of George W. Hedrick.

The Clerk read as follows:

Be it enacted, etc., That George W. Hedrick, late of Company B, Seventh West Virginia Volunteers, shall be held and considered to have been honorably discharged from the service of the United States as of April 2, 1864.

The committee amendment was read as follows:

Add at end of the bill:

Provided, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act.

Mr. ROBERTS. Does this bill relate to desertion? There is nothing stated so far.

Mr. MANN. It is a clear desertion case.

Mr. KAHN. This is a case of a soldier who served three or four years.

Mr. Chairman, I move that the bill be laid aside with a favorable recommendation.

The CHAIRMAN. This bill clearly relates to the charge of desertion.

The amendment was agreed to.

The CHAIRMAN. Without objection, the bill as amended will be laid aside with a favorable recommendation.

There was no objection.

DE WITT EASTMAN.

The next business on the Private Calendar was the bill (S. 4749) for the relief of De Witt Eastman.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to remove the charge of desertion from the name of Dewitt Eastman, late of Company B, Second Minnesota Volunteers, and of the Fourth U. S. Artillery: *Provided,* That no pay, bounty, or other emoluments shall accrue by virtue of the passage of this act.

Mr. STEENERSON. Mr. Chairman, I move that the bill be laid aside with a favorable recommendation.

The CHAIRMAN. Without objection, the bill will be laid aside with a favorable recommendation.

There was no objection.

WILLIAM H. HOUCK.

Mr. CRUMPACKER. Mr. Chairman, I desire to call up the bill (H. R. 11460) to remove the charge of desertion from the military record of William H. Houck.

The CHAIRMAN. The Chair is endeavoring to ascertain the calendar order of the bills relating to the removal of the charge of desertion.

Mr. CRUMPACKER. It is a desertion case—Calendar No. 1060, H. R. 11460. I have a copy if the Clerk has not.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to remove the charge of desertion from the military record of William H. Houck, late of Company K, Seventeenth Regiment Indiana Volunteer Infantry, and to issue to said William H. Houck an honorable discharge, to be dated July 20, 1864.

The committee amendment was read as follows:

Add at the end of the bill the following:

Provided, That said William H. Houck shall receive no pay or other emoluments by reason of the passage of this act."

Mr. CRUMPACKER. Mr. Chairman, I move that the bill be laid aside with a favorable recommendation.

Mr. MANN. Mr. Chairman, just to illustrate what we are doing in removing charges of desertion, in this case the soldier testified that he became intoxicated and was ordered, as the result of that, to be confined in the guardhouse, and as he did not approve of the order, he deliberately deserted, and there is no other explanation in regard to it.

Mr. CRUMPACKER. Let me say this, Mr. Chairman, that this soldier enlisted in April, 1861, and he deserted April 21, 1863.

Mr. MANN. But he knew better.

Mr. CRUMPACKER. After the war was over. He went into the army for the purpose of fighting, and the ordinary volunteer soldier in the civil war gave but little consideration to red tape or military conventionalities. This man lacked just eleven days of having served four years. He did not get intoxicated until the war was over [laughter], until the fighting had all been finished. He deserted after the surrender of Lee, after the capitulation at Appomattox. I think a man who served his country faithfully for four years without any shirking or evasion of duty may be excused now if he got intoxicated once after the war was over.

Mr. MANN. The gentleman seems to think that the charge of desertion is a charge of intoxication, but that is not the case. We are not removing the charge of intoxication, but we are removing the charge of desertion—not deserting when he was drunk, but deserting when he was sober.

Mr. CRUMPACKER. The facts in this case are that the soldier deserted on the 21st day of April, 1863, and was away about two or three weeks. After the amnesty proclamation, issued by Mr. Lincoln, he went back and joined his command, expecting to be mustered out, and they took him down into Georgia. He was there five or six weeks, and he wanted to go home and do some work. They did not allow him to, and he did not have anything to do but loaf around the camp. He got somewhat intoxicated and was put in the guardhouse, and he thought it a little humiliating for a union volunteer soldier to be treated in that way for so small an offense after the close of the war.

Mr. MANN. He deserted twice.

Mr. CRUMPACKER. He got out of the guardhouse and went home.

Mr. MANN. He deserted twice.

Mr. CRUMPACKER. He deserted twice, but after the war was over.

Mr. MANN. That is a very good plea; but he deserted twice.

Mr. CRUMPACKER. That does not make any material difference. He was with the army as long as there was fighting to do, and he deserted when the fighting was all over. Many Union soldiers quit the service after the war was over without the formality of being mustered out, and Congress made a law authorizing the Secretary of War to issue discharges to those who had served faithfully for six months or more and deserted after May 20, 1865. This soldier had served faithfully for nearly four years, but he deserted April 21, 1865, returned to his command about May 10, 1865, and then quit the service June 18, 1865. The Secretary of War holds that he did not serve faithfully for six months prior to May 20, 1865, because of his absentsing himself from the service in April. He is given no credit under the law for his four years of honorable and faithful service during the actual conflict.

The amendment of the committee was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM A. HINSCH.

The next business on the Private Calendar was the bill (S. 3388) to correct the military record of William A. Hinsch.

Mr. PARKER. Mr. Chairman—

The CHAIRMAN. The gentleman from New Jersey addressed the Chair.

Mr. PARKER. I wanted to call up that bill. Let me state the facts in regard to it.

Mr. MANN. I raise the point of order on the bill.

Mr. PARKER. Let me state the facts in relation to it.

Mr. MANN. You can state the facts on the point of order.

Mr. PARKER. It is practically a desertion case.

Mr. ROBERTS. I object.

Mr. PARKER. May I have order for a moment? I would like to say what this is. This man enlisted—

Mr. MANN. I made a point of order on the bill.

Mr. PARKER. I understand your point of order.

The CHAIRMAN. Gentlemen will suspend.

Mr. MANN. I just wanted the Chair to get the point of order.

The CHAIRMAN. The Clerk will read the bill.

The Clerk read as follows:

A bill (S. 3388) to correct the military record of William A. Hinsch.

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to so amend the records of the War Department as to show that William A. Hinsch was honorably discharged from Company F, Twelfth Regiment Ohio Volunteer Infantry, and was duly and properly mustered out of such service before enlisting for three years' service in the Fifth Regiment Ohio Volunteer Infantry: *Provided,* That no pay, bounty, or other allowances may accrue or become payable by virtue of the passage of this act.

Mr. PARKER. This man served three months. He then enlisted for three years. There is no discharge on record for his three months' service, so that he appears technically on the records as a deserter, although he was not a deserter, and is marked there as such. He went into the three years' service, but there is no muster out and no discharge from the three months' service, and therefore it is the removal of a charge of desertion.

Mr. ROBERTS. I say it is not desertion.

Mr. HULL of Iowa. It is desertion. If he was not held as a deserter, he could get his record corrected at the War Department.

Mr. ROBERTS. I understood the gentleman to say there was nothing on the record.

Mr. HULL of Iowa. He was not mustered out, supposed to be in another regiment; that leaves him here without any record of being mustered out.

Mr. PARKER. So he is marked on the rolls with a record incomplete and virtually as a deserter.

Mr. ROBERTS. I object to that class of cases being taken out of their turn. I have a similar case.

Mr. HULL of Iowa. Then you ought to pass it.

The CHAIRMAN. The Chair will state that it has been the custom of Members introducing bills to avoid the use of the words "removal of the charge of desertion," as far as possible, and put in the words "correcting the military record." Now, the Chair thinks that this bill actually removes the charge of desertion, although it is not so worded.

Mr. PARKER. I move that it be laid aside with a favorable recommendation.

The question was taken, and the bill was ordered to be laid aside with a favorable recommendation.

JAMES M'KENZIE.

The next business on the Private Calendar was the bill (H. R. 7071) for the relief of James McKenzie.

The bill was read, as follows:

A bill (H. R. 7071) for the relief of James McKenzie.

Be it enacted, etc., That the Secretary of War is authorized to remove the charge of desertion standing against James McKenzie, of Company D, First Battalion Eleventh U. S. Infantry, and issue to him an honorable discharge as of date from August 26, 1865: *Provided*, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That James McKenzie be held and considered to have been honorably discharged from Company D, First Battalion, Eleventh U. S. Infantry, as of date of August 26, 1865: *Provided*, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act."

Mr. ROBERTS. Mr. Chairman, I would like to ask if this is a desertion case?

Mr. KAHN. It is; and I move that it be laid aside with a favorable recommendation.

The CHAIRMAN. The Chair believes that this bill also is precisely of the same class as the one previously passed.

The amendment recommended by the committee was agreed to. The bill as amended was ordered to be laid aside with a favorable recommendation.

Mr. PARKER. Mr. Chairman, may I ask whether 1039 has been considered?

Mr. PRINCE. Yes; it was passed.

The CHAIRMAN. The Chair will state to the gentleman from New Jersey that the bill he inquires about has been laid aside with a favorable recommendation.

ALFRED BURGESS.

Mr. BUTLER. Mr. Chairman, I desire to call the attention of the Chair to the bill (S. 1162) to correct the naval record of Alfred Burgess. He had a charge of desertion against him.

Mr. ANTHONY. Mr. Chairman, are we proceeding in regular order on these bills?

The CHAIRMAN. So far as the Chair is informed, we are.

Mr. ANTHONY. I have a desertion bill that is ahead of that.

The CHAIRMAN. It is impossible for the Chair to tell until the bills are examined, and when there is no objection bills as they have been called up by Members have been considered; but if it is found that they are not in their calendar order, we will proceed in that order so far as possible.

Mr. ANTHONY. I have a bill ahead of this one in the regular order, but I will wait until after the consideration of this bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Navy be, and he is hereby, authorized and directed to correct the record of Alfred Burgess, late a seaman on board the U. S. S. Sonoma and Juniata, and to remove any charge of desertion now standing against the record of said Alfred Burgess and to issue to him an honorable discharge.

Mr. MANN. Mr. Chairman, if I may, I should like to get a little information from the distinguished Committee on Naval Affairs. I notice that in all the bills that have been brought up from the Committee on Military Affairs to remove charges of desertion, they have invariably recommended this amendment:

Provided, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act.

And that in all of the bills brought in from the distinguished Committee on Naval Affairs that provision is carefully omitted. Now, I understand that different committees may have different policies, but the House itself ought to have the same policy on bills coming from both committees and relating to desertions from either the army or the navy. I should like to inquire what that means. If it is proper in cases of military desertion, it certainly is proper in cases of naval desertion.

Mr. BUTLER. I suppose that in each case the report is upon the facts. I have no knowledge whether this sailor desires to ask for a pension or not.

Mr. HULL of Iowa. I will say to the gentleman that it has been construed that that language does not cut a man out of a pension.

Mr. MANN. Oh, no; it does not.

Mr. HULL of Iowa. It cuts him out of any extra pay or bounty, but not out of a pension.

Mr. BUTLER. If the Chair will permit me, I will repeat that I have no knowledge whether this man intends to apply for a pension or not. The bill was passed by the Senate and referred to the House Committee on Naval Affairs. We considered it and concluded unanimously to report it back to the

House with the recommendation that it pass. The man may be entitled to a pension. I do not know. The question was not asked.

Mr. MANN. If the gentleman will pardon me, I suppose the purpose of the bill is, partly at least, to enable him to get a pension, and nobody is objecting to that part of it.

Mr. BUTLER. I will state again to the gentleman that I have no knowledge whatever of the intention of the sailor. I do know that it was not the intention of the Naval Affairs Committee to allow him what is commonly known as "back pay."

Mr. MANN. Would the gentleman have any objection to putting in the amendment which is usually put in bills of this character:

Provided, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act—

With the assurance that that does not affect at all the question of a pension?

Mr. BUTLER. I have no objection whatever. I will state to the gentleman from Illinois that I do not know who introduced this bill. I know that it was reported by the gentleman from Texas [Mr. GREGG], who is absent because of illness, and I concluded that I would call up the bill and ask the committee to consider it. I have no objection to the insertion of that amendment in the bill. I would not like, however, to see the sailor deprived of his right to apply for a pension.

Mr. MANN. That does not deprive him of the right.

Mr. HULL of Iowa. I will say that when similar bills affecting the soldiers were considered by the Military Committee some years ago, it was found that if a bill passed without any limitation it raised the question of considerable pay while the man was absent from his command. It would entitle him to go back and collect any bounties that had been offered for that enlistment and all other emoluments forfeited by desertion.

The Committee on Military Affairs did not believe that any man restored to his rights by having an honorable discharge should be deprived of a pension, and after consultation with the authorities the committee got up this form, and now attached to all bills from the Committee on Military Affairs, that cuts them off from any pay they should not have. It cuts them off from going back and getting a bounty or for any clothing allowance that may have been due at the time of desertion, but leaves them as free before the Pension Commissioner to secure a pension under the law as any man who has never deserted. So that the amendment would not affect his rights to a pension in the slightest degree.

Mr. BUTLER. This man did not desert. He was by accident marked a deserter; he served until 1865. The affidavits of comrades and the Senate report show that he was ordered from his ship while at a point along the Florida coast and carried to New York and put in the navy-yard, where he served as a blacksmith.

The engineer who made the affidavit says that the man did not desert; by mistake his name was not handed to the paymaster, and the paymaster on the ship marked him a deserter. He went to the navy-yard in New York and served until 1865. I submit to the House that whatever this man is entitled to have he ought to have. It may be that he only wants this correction for patriotic purposes, simply to improve his military record. The man served his country and did all the service he was asked to do, and I do not believe that under those circumstances this committee should deprive him of any of his rights.

I do not know what his purpose is, whether it is mercenary or patriotic.

Mr. HULL of Iowa. This is simply to correct his record; it was not a desertion at all, according to the gentleman's statement.

Mr. BUTLER. He is marked a deserter, and therefore we consider it as a case of desertion.

Mr. HULL of Iowa. Therefore it is necessary to pass the bill.

Mr. DAWSON. Will my colleague yield to me? I would like to answer a little more fully the interrogation by the gentleman from Illinois [Mr. MANN] in regard to the policy of the Naval Committee as to such bills as this.

Mr. BUTLER. Let us pass this bill first. Mr. Chairman, I move that the bill be laid aside with a favorable recommendation.

Mr. MANN. Well, Mr. Chairman, I only yielded to the gentleman a short time. I had the floor, I believe.

Mr. BUTLER. I beg the gentleman's pardon, I took the floor and yielded to the gentleman from Iowa, and then asked the gentleman from Iowa to yield back the time to me.

Mr. MANN. I took the floor and was entitled to one hour, and I yielded to the gentleman to ask a question.

Mr. BUTLER. I did not know that by the gentleman rising and asking a question he took me from the floor.

Mr. MANN. But the gentleman from Pennsylvania did not have the floor.

Mr. DAWSON. Mr. Chairman, will either gentleman tell me how they took the floor away from me? [Laughter.]

The CHAIRMAN. This is rather an academic discussion. Does the gentleman from Illinois desire to offer an amendment?

Mr. MANN. I do. I move to amend by adding at the end of the bill the words:

Provided, That no pay, bounty, or other emolument shall become due or payable by virtue of the passage of this act.

Mr. BUTLER. I hope the House will not adopt that amendment under the circumstances I have stated in this particular case.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Add the words "*Provided, That no pay, bounty, or other emolument shall become due or payable by virtue of the passage of this act.*"

Mr. DAWSON. Mr. Chairman, I was about to say a moment ago a word or two regarding the policy of the Naval Committee as to these bills. The gentleman from Illinois is in error in assuming that all bills of this character which are reported from the Naval Committee do not carry the provision that he has presented as an amendment to this bill. I will state to the House that the policy of the Naval Committee is to place that limitation on bills where they do carry any back pay or other allowance, and sufficient consideration is given to every bill to determine that fact before the bill is reported. In these bills where back pay or other allowances would accrue to the claimant the provision is included in it.

Mr. HULL of Iowa. I would like to ask my colleague what process the Committee on Naval Affairs goes through to find out all the record of a man, as to whether he would acquire any extra pay without this provision.

Mr. DAWSON. I can not take the time of the House now—

Mr. ROBERTS. We get the reports from the department and examine them.

Mr. DAWSON. It would take too much time of the House to go through in detail every case, but it must be clear to the Members of the House that in this particular bill that rule has been followed; that this man simply appears on the record as a deserter; that he was not at the time a deserter; and if there is any back pay or allowance due to him on account of his service in the navy, then I say the Congress, in fairness and justice, ought to pay it to him.

Mr. MANN. Mr. Chairman, the gentleman from Iowa [Mr. DAWSON] assumed, I think, that the Committee on Naval Affairs ascertained whether there is any back pay due, because certainly no one in the House knows better than he that there is no department of the Government that can tell whether there is back pay due or not until an application is made and audited and all of the papers are gone through. The gentleman can not ascertain now within two weeks' time whether there is back pay due this man from the Auditor for the War Department, because there is no way of telling until the whole matter is investigated, and very often the auditor does not have the facts upon which he can decide the case until additional evidence is presented. Now, as to this case. This case was referred to the Navy Department. They did not report anything in reference to whether there was back pay due, but the Secretary of the Navy said in regard to this matter that the department sees no reason for special legislation in this case. So far from getting the report of the department as to whether there was anything due or not, the committee disregarded the recommendation of the department against the bill. It may be they had sufficient information—

Mr. ROBERTS. Oh, no; it was not a recommendation against the bill.

Mr. MANN. It may be they had sufficient information, but if so, it was not disclosed in the report.

Mr. BUTLER. Let me read the balance of the report.

Mr. MANN. The department says it is a matter for Congress to determine.

Mr. BUTLER. Yes.

Mr. MANN. Oh, well, we do not need the report from the Secretary of the Navy that Congress determines whether special legislation shall be passed, but the department says that the department sees no reason for special legislation.

Mr. ROBERTS. Then why does the gentleman cite the department as against the bill?

Mr. GARRETT. What does the department state?

Mr. MANN. The department states as a fact that the man was a deserter.

The CHAIRMAN. The question is on the adoption of the amendment offered by the gentleman from Illinois.

Mr. GARRETT. Mr. Chairman, just a moment. Of course, if this man was in fact a deserter, why, this amendment ought to be agreed to.

Mr. BUTLER. I will concede the statement of the gentleman.

Mr. GARRETT. The gentleman from Illinois states that the department reports that he was a deserter.

Mr. BUTLER. It is a fact that the department so reports; as a further fact he was marked on the record as a deserter, when in fact the evidence shows that he did not desert. The evidence of his superior officer shows that he was taken from the ship by authority and ordered to New York, and the mistake is with this officer, because he did not inform the paymaster of the ship, who marked the sailor absent without leave. The sailor was taken, with his comrades, to the navy-yard in New York, and there he served as a blacksmith under the direction of the Navy Department until after the war had terminated.

Mr. GARRETT. It was wholly without his fault?

Mr. BUTLER. Yes. I ask for a vote.

The CHAIRMAN. The question is on the adoption of the amendment offered by the gentleman from Illinois.

The question was taken; and upon a division (demanded by Mr. MANN) there were—ayes 1, noes 54.

So the amendment was rejected.

The CHAIRMAN. The question now is on laying the bill aside with a favorable recommendation.

The question was taken, and the bill was ordered to be laid aside with a favorable recommendation.

BUSINESS METHODS IN POST-OFFICE DEPARTMENT.

Mr. OVERSTREET. Mr. Chairman, I ask unanimous consent that the committee rise informally to receive a report from the joint commission on the business methods in the Post-Office Department and postal service, to accompany a bill to codify, revise, and amend the postal laws of the United States.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent that the committee rise informally for the purpose of receiving a report. Is there objection?

There was no objection.

Accordingly the committee rose, and the Speaker pro tempore [Mr. FOSTER, of Vermont], having assumed the chair, Mr. OVERSTREET submitted a report from the joint commission on the business methods in the Post-Office Department and postal service, to accompany a bill to codify, revise, and amend the postal laws of the United States.

The SPEAKER pro tempore. The Clerk will report the title.

The Clerk read as follows:

Final report of the joint commission on the business methods of the Post-Office Department and the postal service.

Mr. MANN. Mr. Speaker, I reserve all points of order.

The SPEAKER pro tempore. The report will be received and referred to the Committee on the Post-Office and Post-Roads and ordered printed. The gentleman from Illinois reserves all points of order. The committee will resume its sittings.

CHARLES A. BESS.

The committee accordingly resumed its sitting.

Mr. ANTHONY. Mr. Chairman, I call up the bill (H. R. 14974) for the relief of Charles A. Bess, calendar No. 1068, which I send to the desk and ask to have read.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to remove the charge of desertion from, correct the military record of, and grant an honorable discharge to Charles A. Bess, who was a private in Company B, First Regiment California Infantry.

Mr. MANN. Mr. Chairman, I make the point of order against this bill. This is a bill to remove the charge of desertion and to correct a military record. The Committee on Invalid Pensions has no jurisdiction over such a bill.

Mr. ANTHONY. It comes from the Military Committee.

Mr. MANN. That may be; I do not say where it comes from. I see it reported from the Committee on Military Affairs and that it was referred to the Committee on Invalid Pensions.

Mr. ANTHONY. You have a copy of the first reference. I think that it was afterwards referred to the Committee on Military Affairs. That was corrected.

The CHAIRMAN. The report is from Mr. ANTHONY from the Committee on Military Affairs, and undoubtedly the heading is a misprint.

Mr. GARRETT. Mr. Chairman, I notice the usual clause is not on that particular bill.

Mr. ANTHONY. I have no objection to that clause.

Mr. MANN. I do not see why it should; the House just voted the other way. It is not nearly as bad a case as the one we just passed.

Mr. HULL of Iowa. I will say it is a mistake of the subcommittee, because in the Committee on Military Affairs we put that on all of them.

Mr. ANTHONY. I move that that clause be put upon that bill.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Add at the end of the bill the following proviso:
"That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act."

The question was taken, and the amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JACKSON PRYOR.

Mr. HULL of Tennessee. Mr. Chairman, I call up the bill (H. R. 8545) for the relief of Jackson Pryor.

The CHAIRMAN. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to correct the military record of Jackson Pryor, late of Company D, Twelfth Regiment Kentucky Volunteer Infantry, so as to grant him an honorable discharge as of the date when said company was mustered out of the service of the United States.

The committee amendment was read, as follows:

Provided, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act.

The amendment was agreed to.

Mr. HULL of Tennessee. Mr. Chairman, I move that the bill as amended be laid aside with a favorable recommendation.

The motion was agreed to, and accordingly the bill was laid aside with a favorable recommendation.

EDWARD T. LINCOLN.

Mr. ROBERTS. Mr. Chairman, I ask unanimous consent for the present consideration of the bill (H. R. 8615) to correct the naval record of Edward T. Lincoln.

The CHAIRMAN. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Navy be, and he is hereby, authorized and directed to correct the record of service of Edward T. Lincoln, late an acting master's mate in the navy during the war of the rebellion, to show that he was discharged the service on January 8, 1865.

Mr. HULL of Iowa. Mr. Chairman—

Mr. ROBERTS. Mr. Chairman, I will yield to the gentleman from Iowa for a question.

Mr. HULL of Iowa. Do the records show he was honorably discharged?

Mr. ROBERTS. The records do not show he was ever discharged; the records show he was dismissed from the service.

Mr. HULL of Iowa. What date?

Mr. ROBERTS. The date of November 28, 1864. As a matter of fact, he served until early in January, in 1865, before the action of the department had ever reached him, and during that year he participated with his ship in two battles. For some reason or other the action of the department was not communicated to this officer at all until several months after they have it recorded on their files.

Mr. HULL of Iowa. Then, undoubtedly, without any limitation, that would give him back pay up to the date provided by this bill.

Mr. ROBERTS. Unquestionably, if he served from the date on which they have that discharge to a time subsequent, and has not received his pay, he could receive it.

Mr. HULL of Iowa. Well, Mr. Chairman, that happens in all branches of the service, that men are not really mustered out until the papers are approved and returned.

Mr. ROBERTS. Oh, that was not the point. This was not a mustering out. This man was dismissed from the service under charges, if the gentleman will listen for a moment, without a hearing and without any knowledge that the charges were even pending. He was dismissed by the Secretary of the Navy when the law at that time contemplated only dismissals by the President, and it was afterwards amended so that these dismissals only continued for a short time, a few years, and that was afterwards repealed. In this case, if the gentleman will pardon me for a moment, there was an ill feeling that arose between this master's mate and a superior officer on his ship, and the superior officer went in to do up this man, and he did him up by stabbing him in the back, by preferring charges of which the officer had no knowledge, and which were acted on by the department notwithstanding that when the

knowledge did come to him he asked for a hearing and it was denied him.

He served gallantly and honorably, and it is only fair that this officer should have an honorable discharge from the service.

Mr. HULL of Iowa. Mr. Chairman, we are not challenging the committee on that proposition at all. What I believe, though, to be absolutely right, is that the limitation should be to give this man his discharge and not open up his accounts. This is a discharge after the department said he was separated from the service. You have taken the evidence. I want to say in this connection, Mr. Chairman, if it had not been for the pension act of 1890, by which everyone gets a pension on honorable service, regardless of his disability in the army, there would hardly be a case of this character before Congress. There has been an increase of military cases in a year after the passage of that act of over 2,000 of this character of bills. I sympathize with their wanting to get on the pension rolls, but I do not want Congress to open up the accounts of all these officers that have been separated from the service by their desertion or by the action of their superior officers. And I think if we restore them in such a way that they can all get on the pension roll, and draw the same pensions as though their records were absolutely clear, Congress is acting in a very generous spirit toward them. For that reason I want to see this amendment put on that bill, unless of the character just reported, when a man was continued in the service and was assigned by his superior officer, for the reason that he was there during the pay days and undoubtedly got all his pay.

Mr. ROBERTS. This officer did continue in the service after the date upon which the Navy Department had him separated from it, and he participated in two battles in that period. Now, as I stated a moment ago, I do not know whether his accounts were settled down to the time he actually left, or whether they were settled at the time the department says he left. If they were not settled down to the time of his actually separating himself from the service, then he is entitled to some pay and emoluments for those two or three months, and he ought to have it.

Mr. HULL of Iowa. Oh, Mr. Chairman, we are giving him pay and emoluments as long as he lives by the rights he secures under the pension laws.

Mr. ROBERTS. As a matter of fact, if the gentleman will pardon me, the record of the Navy Department in this man's case does not seem to be very accurate anyway. They have him connected with the service at an entirely different date from the real date. For instance, they say he was appointed September 3, 1863. He brings before the committee his original appointment, dated August 7, 1863. The records of the Navy Department in this case, to say the least, are not very trustworthy.

Mr. HULL of Iowa. When did he first apply to Congress for relief?

Mr. ROBERTS. The gentleman from Massachusetts, my colleague [Mr. McCALL], introduced the bill. I do not know when it was first introduced. I yield to him.

Mr. McCALL. This man drew his pension up to two or three years ago—November, 1905. His record was absolutely unchallenged, and somebody in making an examination with a microscope thought he ought not to have a pension, and he was stricken from the roll. Now, the man has had three services. He had enlisted from Illinois, served out his term very honorably, and immediately reenlisted, served three years, saved a gun with great heroism at Fort Donelson, and was wounded. Then, after that service, he had this service as master's mate, and he served along, as my colleague has said, until 1865, and was then informed he had been separated from the service under charges of which he had no notice and upon which he had no hearing. During that time he fought in two battles. Now, I do not know that he makes any claim. I assume he does not make any claim, because he did not dream that he was not honorably discharged until 1895. I do not know that he makes any claim for back pay.

It does seem to me it is as fair a case as ever came before the House of Representatives. It is as strong as the case just acted upon, and I should prefer to have it go precisely as it has been reported by the committee.

Mr. MANN. Did the gentleman serve three years in one enlistment?

Mr. McCALL. I understand so.

Mr. MANN. The gentleman is evidently mistaken.

Mr. McCALL. I will give the exact record. He enlisted April 23, 1861, for three months. Then it gives his record in detail, which was a very honorable one. Then he reenlisted, and he was mustered out July 31, 1861. That is a little more

than three months. Then he enlisted in the military service on August 5, 1861, for three years, and was discharged at Fort Donelson August 3, 1863, by order of the War Department for promotion in the United States Navy.

Mr. MANN. Discharged.

Mr. McCALL. He only served of that enlistment two years. He enlisted first on August 5, 1861, and was discharged at Fort Donelson August 3, 1863, two years after, by order of the War Department, for promotion in the United States Navy for services rendered on or about August 10, 1861, just as my colleague has made out.

Mr. MANN. Only your colleague was mistaken about the War Department being in error.

Mr. ROBERTS. Oh, no; it is the Navy Department I am speaking of.

Mr. MANN. This man was transferred in August.

Mr. ROBERTS. But the Navy Department says it was in September.

Mr. MANN. I beg the gentleman's pardon. The Navy Department says August.

Mr. ROBERTS. But Mr. Lincoln submitted to the committee his original appointment under date of August 7, 1863. That is in the report, and was the statement I made.

Mr. MANN. I understand.

Mr. McCALL. I do not think it is at all material.

Mr. MANN. Except as a little reflection upon the navy record, which agrees with the army record. [Cries of "Vote!"]

Mr. ROBERTS. I want that little point cleared up, because the record is September at the department. It appears that he was appointed acting master's mate September 3, 1863, and Mr. Lincoln brought before us his original appointment by which he acquired the office, dated August 7, 1863.

Mr. MANN. The two statements do not contradict at all.

Mr. ROBERTS. Why, they simply show that the Navy Department did not record him as an officer on the day appointed. They gave him his commission and recorded it as of a date different from that on which he got it.

Mr. MANN. It only shows that the commission was not issued as soon as he assumed the duties of the office.

Mr. ROBERTS. He had been assigned to the duty, and the Navy Department did not make record of it until a later date.

Mr. MANN. Will the gentleman, with his record, tell us why this man was dismissed from the service?

Mr. ROBERTS. I stated that a moment ago.

Mr. MANN. I did not hear the gentleman state it.

Mr. ROBERTS. I stated that there were charges preferred against him for borrowing money from shipmates of the U. S. S. *Peri*. He had no knowledge of those charges at the time they were made, and when he got his dismissal he first learned why he had been dismissed, and then he sought a hearing. The department denied it to him. He never had heard until he was separated, why he had been separated, and the separation was merely dismissal. He was not discharged, but simply dismissed from the service of the navy, and he did not get a discharge, honorable or dishonorable. He got no discharge whatever.

Mr. MANN. He was dismissed because he was borrowing money from the men on board ship.

Mr. ROBERTS. He was dismissed because somebody alleged he was borrowing money.

Mr. MANN. And there was no denial?

Mr. ROBERTS. And he denied it.

Mr. MANN. There is no denial of the charge in the report. If the gentleman from Massachusetts who introduced the bill knows the facts, I should like him to state them.

Mr. ROBERTS. The gentleman from Illinois is quibbling.

Mr. MANN. The gentleman is not quibbling. The gentleman did not even refer this bill to the Navy Department for a report. Perhaps that is quibbling.

Mr. ROBERTS. I think the gentleman said a little while ago that Congress could act without instructions from the departments, and here in the first case where we propose to so act he says that the bill has not been referred to the department. I think we are able to dispose of this matter without requiring any further explanation from anybody.

Mr. MANN. Nothing is stated here in the report showing what the facts are to support the passage of this bill. Whatever the facts are I am quite sure the gentleman from Massachusetts does not know, or he would have told us. Now, if my other friend from Massachusetts will state the facts—

Mr. McCALL. I have stated all the facts in the case.

Mr. ROBERTS. This bill was referred by the committee to the Navy Department.

Mr. MANN. The report does not show that it was referred. The report says they had the record of this man.

Mr. ROBERTS. What difference does it make whether the report shows that the case was referred or was not referred?

Mr. MANN. I think it makes a good deal of difference.

Mr. ROBERTS. The House has the facts, and we are willing to abide by its decision.

Mr. MANN. Oh, I suppose the House in its present temper, where each Member has a bill on the calendar that he desires to have passed, will vote for any bill.

The committee amendment was agreed to.

The bill as amended was ordered to be laid aside and to be reported to the House with a favorable recommendation.

JOHN B. FORD.

Mr. STERLING. Mr. Chairman, I call up the bill (H. R. 4737) to correct the military record of John B. Ford.

The bill was read, as follows:

Be it enacted, etc., That John B. Ford be held and considered to have been mustered into service as a private of Company A, Seventh Regiment Iowa Cavalry Volunteers, as of date of September 22, 1863, and an honorable discharge be issued in accordance with this act.

Mr. STERLING. I move that the bill be laid aside with a favorable recommendation.

The motion was agreed to.

GEORGE W. HEDRICK.

Mr. HAY. Mr. Chairman, I call up the bill (H. R. 7006) to correct the military record of George W. Hedrick.

Mr. KAHN. That has already been laid aside with a favorable recommendation.

The CHAIRMAN. The Chair is informed that that bill has already been favorably acted upon.

ORDER OF BUSINESS.

Mr. HASKINS. Mr. Chairman—

The CHAIRMAN. For what purpose does the gentleman from Vermont rise?

Mr. HASKINS. I rise for the purpose of asking—

Mr. MILLER. I desire to call up the bill H. R. 13319, Calendar No. 929. I understand all the desertion cases have been disposed of.

The CHAIRMAN. The Chair will state that there still remains another desertion case on the calendar undisposed of, and the Clerk will report that bill.

CORWIN M. HOLT.

The Clerk read the bill (H. R. 4931) to correct the military record of Corwin M. Holt, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to remove the charge of being absent without authority now standing on the rolls of the army against the name of Corwin M. Holt, late a first lieutenant of Company B, One hundred and third Regiment Ohio Volunteer Infantry, and grant him an honorable discharge.

The following committee amendment was read and agreed to:

At the end of the bill insert the words "as of May 1, 1865."

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

PLEASANT THOMAS.

Mr. EDWARDS of Kentucky. Mr. Chairman, I desire to call up the bill (H. R. 1086) to correct the military record of Pleasant Thomas, late of Company B, East Tennessee National Guards.

The CHAIRMAN. Is it a desertion case?

Mr. EDWARDS of Kentucky. It is reported from the Military Committee.

Mr. MILLER. Are not the Committee on Claims entitled to the floor now, for the purpose of calling up bills on the calendar in their regular order?

The CHAIRMAN. The Chair will repeat what was stated by the Speaker of the House before he left the Chair, that bills removing charges of desertion and kindred bills are first in order.

Mr. MILLER. I will yield to the gentleman from Kentucky.

The CHAIRMAN. The Chair will ask the gentleman—

Mr. EDWARDS of Kentucky. My bill is reported by the Military Committee, and I understand the gentleman from Kansas has yielded to me for the purpose of having it considered.

Mr. MANN. He could not yield to him for that purpose.

Mr. EDWARDS of Kentucky. I believe I have the floor.

The CHAIRMAN. The gentleman is recognized in his own right, and the Clerk will report the bill.

The bill was read, as follows:

Be it enacted, etc., That the military record of Pleasant Thomas be, and the same is hereby, so corrected as to read: "Enlisted in Company B, East Tennessee National Guards, September 1, 1863," instead of October 1, 1863, "and honorably discharged December 15, 1863."

The following committee amendment was read:

Provided, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act.

Mr. EDWARDS of Kentucky. Mr. Chairman, I ask unanimous consent that this bill be laid aside with a favorable recommendation.

Mr. PARKER. Mr. Chairman, that is one of the cases in which the committee were not unanimous. I believe the gentleman from Texas [Mr. SLAYDEN] desires to be heard on that. I do not think unanimous consent ought to be given at this particular time for that bill.

Mr. EDWARDS of Kentucky. I think the gentleman is mistaken about the bill.

Mr. PRINCE. I do not think this is the bill. This is a unanimous report of the committee.

Mr. PARKER. I will tell you why I can not be mistaken: In making up the roll of bills to go into an omnibus bill the committee were called together to see whether there were any members of the committee opposed to those bills. We were only going to put into an omnibus bill at the last session those cases in which there was no opposition on the part of any member of the committee. This is a bill which corrects the date of a man's enlistment and the date of his discharge, changing the rules so as to give him three months' service instead of two months' service, away back in 1863. It is not of very great importance, because his service was good between the two dates, anyhow. I do not want to take the responsibility of objecting.

Mr. EDWARDS of Kentucky. Then do not object.

Mr. PARKER. I will let it go, under the circumstances.

The committee amendment was agreed to.

The bill as amended was ordered to be laid aside, to be reported to the House with a favorable recommendation.

PATRICK CONLIN.

Mr. CAMPBELL. Mr. Chairman, I call up the bill (H. R. 7963) for the relief of Patrick Conlin.

Mr. BUTLER. Is that a charge of desertion?

Mr. CAMPBELL. It is the same as the last three or four that were passed.

Mr. MANN. No; it is not in order.

The Clerk read the bill, as follows:

Be it enacted, etc., That Patrick Conlin shall hereafter be held and considered to be entitled to all of the rights and benefits that he would be entitled to on account of military service, except pay, bounty, and other emoluments, if he had been continuously in the military service of the United States as a private of Company I, Fifty-seventh Regiment Ohio Volunteer Infantry, from the 27th day of January, 1862, to the 8th day of August, 1865, and had been honorably discharged on the date last named herein.

Mr. PARKER. Mr. Chairman, in this case Patrick Conlin said he was in the army three years, but there is not a single bit of record to show his being there. There is no doubt that he was around with the regiment and that he did service part of the time as a soldier. He was a very young boy; he was not enlisted; he was not mustered, but carried his gun. I am inclined to think there is quite enough merit in it to make it go, and I make no objection. I only want to state the fact.

Mr. MANN. I do not agree with the gentleman from New Jersey.

Mr. CAMPBELL. Oh, I hope the gentleman from Illinois will not object. The man was wounded in the service of his country. They would not muster him in on account of his youth, because he was so small, but they gave him clothing and they gave him a gun, placed him in the company, and he served in it for a period of more than three years. This is all gone over in the regimental history. The bill has passed this Congress twice. It once suffered a pocket veto, and on another occasion it was vetoed, not because of its merits but because of the language that is used in the bill. I will state that the language used now in the bill was language prepared by The Military Secretary and agreed to by the War Department.

Mr. MANN. I can readily believe the gentleman that if the bill passed it was vetoed twice. Any President who would take the trouble to read the report from the committee would veto the bill. I object to it.

Mr. PARKER. Mr. Chairman, I have looked over the case, and it is the case where the man did fight valiantly all through the war.

Mr. CAMPBELL. I would like to have the gentleman from Illinois read the report.

Mr. MANN. I have read it more carefully than has the gentleman from Kansas. I can quote things from the report, which I doubt if the gentleman himself can.

The CHAIRMAN. The question is, Shall the bill be laid aside to be reported to the House with a favorable recommendation?

Mr. MANN. I objected, Mr. Chairman, to the consideration of the bill. I said when the gentleman called the bill up that I objected to the consideration.

Mr. CAMPBELL. O Mr. Chairman, it has been considered, and the bill was read.

The CHAIRMAN. The Chair does not understand the ground on which the gentleman from Illinois objected to the consideration.

Mr. MANN. The gentleman from Kansas asked unanimous consent for the consideration of the bill, and I objected.

The CHAIRMAN. The Chair did not so interpret it.

Mr. CAMPBELL. I asked unanimous consent that the bill be laid aside with a favorable recommendation. The gentleman from Illinois objected to that. Now, I move that the bill be laid aside to be reported to the House with a favorable recommendation.

The CHAIRMAN. The Chair can not see why the consideration of the bill is not in order. If the gentleman from Illinois will state to the Chair the reason, the Chair will keep his mind open.

Mr. MANN. I am inclined to think, Mr. Chairman, that the gentleman from Kansas has the right to make the motion, and that any other person who receives recognition from the Chair has a similar right to take up any bill on the calendar. Of course I do not insist on the point of order, although I do not believe in taking the bills up out of the regular order.

The CHAIRMAN. The gentleman from Kansas moves that the bill be laid aside with a favorable recommendation.

The question was taken, and on a division (demanded by Mr. MANN) there were 53 ayes and 4 noes.

So the bill was laid aside to be reported to the House with a favorable recommendation.

ORDER OF BUSINESS.

Mr. HASKINS. Mr. Chairman, I ask unanimous consent that all war-claim bills on the Private Calendar be passed for this day.

Mr. SIMS. Let me make an inquiry. Does the gentleman ask it because he thinks they will not be reached or considered after the order that we are now on is completed?

Mr. HASKINS. I make that request for the reason that this morning I had an understanding with the Speaker that to-morrow was war-claims day, and upon that I notified several Members who have claims pending that they would not be required to attend to-day.

Mr. BUTLER. A parliamentary inquiry.

The CHAIRMAN. The gentleman from Pennsylvania will state it.

Mr. BUTLER. Under the rule, war claims will not be considered on this calendar anywhere to-day. Is not that right?

The CHAIRMAN. The Chair will state to the gentleman that after the passing of the special bills removing charges of desertion, and of kindred nature, the Speaker of the House decided that bills on the Private Calendar would be in order.

Mr. BUTLER. Including war claims?

The CHAIRMAN. They were neither included nor excluded, and so the Chair recognizes the gentleman's request for unanimous consent that the committee may understand that those bills were not to be taken up at this session to-day. The gentleman from Vermont asks unanimous consent that the bill reported from the Committee on War Claims be not taken up at this session to-day.

Mr. MANN. I object.

The CHAIRMAN. Objection is made by the gentleman from Illinois.

Mr. HASKINS. Very well, Mr. Chairman; I move that all war-claims bills on the Private Calendar be not taken up to-day or be passed.

Mr. OLLIE M. JAMES. I would like to ask the gentleman, if that motion prevails when will the claims come up?

Mr. HASKINS. To-morrow.

Mr. MANN. Oh, they will probably never be reached again if they are not taken up to-day.

Mr. LANGLEY. Mr. Chairman, the gentleman from Vermont [Mr. HASKINS] states that he has notified several gentlemen interested in these war claims that they would come up to-morrow instead of to-day, and for that reason asks that they all be postponed until then. I am interested in one of them—a bill for the relief of the estate of Samuel Beatty, deceased—and I am here to-day, and I would like to have it acted upon to-day, because I might not be here to-morrow; and I am afraid that if I am here these cases may not be taken up, as the gentleman from Illinois [Mr. MANN] has suggested. This claim should have been paid many years ago, and I do not like to see it further postponed.

The CHAIRMAN. The question is on the motion of the gentleman from Vermont that in the consideration of bills on the Private Calendar to-day bills reported from the Committee on War Claims be not considered to-day.

Mr. CLAYTON. Mr. Chairman, do I understand the motion to be to pass them for to-day or to be considered to-morrow?

The CHAIRMAN. The Chair has no authority to say as to to-morrow. That is the understanding.

Mr. CLAYTON. Just passed without—

Mr. ROBERTS. Without prejudice.

The CHAIRMAN. Without prejudice.

Mr. OLLIE M. JAMES. That wants to be understood.

The question was taken; and on a division (demanded by Mr. MANN) there were—ayes 68, noes none.

So the motion was agreed to.

BENJAMIN C. WELCH.

The CHAIRMAN. The gentleman from Massachusetts [Mr. GARDNER] called the attention of the Chair to a bill which the Clerk will report.

The Clerk read as follows:

S. 5388. For the relief of Benjamin C. Welch.

Mr. BUTLER. Against that I make the point of order. The next bill is calendar No. 554, a bill reported by the Committee on Naval Affairs.

Mr. MILLER. Mr. Chairman, I desire to inquire of the gentleman from Massachusetts if this bill which he calls up is a bill for removal of the charge of desertion?

Mr. GARDNER of Massachusetts. No; but it is analogous to these others.

Mr. MILLER. Then, Mr. Chairman, the first bill on the calendar is calendar No. 554.

Mr. GARDNER of Massachusetts. Mr. Chairman, I move to proceed to the consideration of the bill (S. 5388) for the relief of Benjamin C. Welch, which the Clerk was reading.

The CHAIRMAN. The Chair understands that a point of order has been made against the consideration of the bill. The point of order is that special bills now being considered, it is clearly in order that we shall begin at the head of the calendar.

Mr. GARDNER of Massachusetts. Mr. Chairman, I move that this committee proceed to the consideration of the bill.

The CHAIRMAN. The gentleman from Massachusetts moves that the committee proceed to the consideration of the bill (S. 5388) for the relief of Benjamin C. Welch.

Mr. WALDO. Mr. Chairman, I would like to inquire whether that is the next calendar number? I think No. 554 on the calendar is the next one.

The CHAIRMAN. The gentleman from Massachusetts clearly has the right to make the motion now before the committee. The question is on the motion of the gentleman from Massachusetts, that the committee proceed to the consideration of the bill S. 5388.

The question was taken, and on a division (demanded by Mr. MANN) there were—ayes 16, noes 46.

So the motion was rejected.

The CHAIRMAN. The Clerk will report the first bill on the calendar.

Mr. MILLER rose.

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. MILLER. Mr. Chairman, I desire to move that all bills be taken up in their regular order, with the exception of war claims.

The CHAIRMAN. The Chair will state that motion is not necessary, because that is the rule. The Clerk will report the first bill in order.

THOMAS P. MORGAN, JR.

The Clerk read as follows:

A bill (H. H. 1081) to pay Thomas P. Morgan, jr., amount found due him by Court of Claims.

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, directed to pay, out of any money in the Treasury not otherwise appropriated, to Thomas P. Morgan, jr., \$6,357.82, in satisfaction of the findings of the Court of Claims of the United States in the case of Thomas P. Morgan, No. 692, Congressional, on the docket of said court, said amount being the sum due said Morgan on a dredging contract in Norfolk Harbor with the Government, and for which the Government got value received.

The committee amendment was read, as follows:

In line 8, after the word "Morgan," insert the word "junior."

Mr. CHANEY. Mr. Chairman, I ask that the bill be laid aside with a favorable recommendation.

Mr. MILLER. Mr. Chairman, this matter has been very carefully considered by the Committee on Claims, and the committee recommend the passage of the bill with an amendment,

and that amendment is that in line 8, page 1 of the bill, after the word "Morgan" the word "junior" be added. I move the adoption of the amendment.

Mr. MANN. Mr. Chairman, before the motion for the adoption of the amendment is presented I desire the floor for a moment. I do not desire to consume the time of the House in the reading of the report, but I do wish the gentleman from Indiana would state the merits of the case, about which there has been a great deal of controversy, and I think it is due to the House, if this bill be passed, that there be some statement in the Record concerning it.

Mr. MILLER. Mr. Chairman, if the gentleman from Illinois will yield to me, immediately after the adoption of the amendment I intended to yield to the gentleman from Indiana for that very purpose.

Mr. MANN. I understand the gentleman from Indiana will have plenty of time to make a statement, but I would like to have it now—

Mr. MILLER. And I hope the committee will grant him that time. I yield, Mr. Chairman, to the gentleman from Indiana [Mr. CHANEY], who will make a brief statement.

Mr. MANN. Mr. Chairman, I think I have the floor. I yield to the gentleman from Indiana [Mr. CHANEY] out of my time such time as he needs to make a short statement of the case.

Mr. CHANEY. Mr. Chairman, this is the case of Thomas P. Morgan, who had a dredging contract with the Government down here in Norfolk Harbor. Mr. Morgan's contract having been annulled on account of differences in disputes over the rapidity with which the work was done and from the long delay of the case in the War Department, failed to bring an action against the Government under the general jurisdiction of the Court of Claims within the statutory period so that he might have obtained a judgment for the amount due him. The amount that the Court of Claims found to be due him was retained percentages on the contract, for by the terms of the contract 10 per cent of the amount to be paid the dredger for the work was to be retained until after the contract had been executed. At the time the contract was annulled there was also a balance due him on account of the dredging work that had not been audited on the work when the contract was annulled. So the account that was sued for in the Court of Claims consisted of the items of retained percentages and the dredging work which was actually done by the contractor and which had not been stated for payment at the time that the contract ended and for which he was never paid. So these two items were sued for in the United States Court of Claims, and the court found on the evidence adduced that this amount of money—the retained percentages and the balance due on account of dredging work—should be paid, and found in his favor for that amount. Had he brought his suit within the period of the statute of limitations the court would have announced a judgment in his favor in the amount of money for which the court now makes findings merely. Owing to the fact that the court could only state its findings, and not a judgment, under the Tucker Act, the findings of the court are here for our consideration in the sums justly due Mr. Morgan, which he sued for. The United States got the benefit of the work that he did, and the money that is embraced in this finding is justly due to Mr. Morgan, and he ought not to be kept out of it any longer, and therefore I think it is a very just and proper thing to be passed now. The amount which the Committee on Claims has found is the same amount that the Court of Claims found. There is no guesswork about it. It was a judicial determination by the Court of Claims, which in this case makes the same sort of judicial investigation that it makes in a case where it pronounces a judgment.

So that there could be no question about the justice and merits of this case, and I submit that the bill ought to pass.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to. The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM PARKER SEDGWICK.

The next business on the Private Calendar was the bill (H. R. 1199) for the relief of William Parker Sedgwick.

The Clerk read as follows:

Be it enacted, etc., That the President be, and he is hereby, authorized to nominate and, by and with the advice and consent of the Senate, to appoint William Parker Sedgwick, late midshipman, an ensign in the United States Navy, and to place him upon the retired list as such, with three-fourths the pay of his grade.

Mr. FASSETT. Mr. Chairman, upon this calendar No. 1020 is identically the same bill, it having been reported back from the Committee on Naval Affairs of the House after favorable

action by the Senate on the same thing. It is identically the same, and I ask unanimous consent to substitute the bill S. 5263 for this bill.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. FASSETT. Now, I move that this bill, unless the gentleman from Illinois [Mr. MANN] wants to hear about it—

Mr. MANN. I know about it.

Mr. FASSETT (continuing). Be laid aside with a favorable recommendation.

Mr. MANN. Mr. Chairman, I did not object to the consideration.

Mr. FASSETT. I yield to the gentleman for a statement.

Mr. MANN. I do not wish the gentleman to yield to me.

Mr. FASSETT. I do not want to give up the floor, then, Mr. Chairman.

Mr. MANN. The gentleman can hold it as long as he pleases, and when he is through I will take it.

Mr. FASSETT. I hope the gentleman from Illinois [Mr. MANN] will not content himself with giving me the floor. Am I not entitled to the floor?

The CHAIRMAN. The gentleman from New York [Mr. FASSETT] has the floor for one hour.

Mr. FASSETT. Mr. Chairman, I will not take the time of this House further than to briefly state, first, that this bill proposes to entitle a midshipman to the benefits of the usual laws of retirement in the navy. This is done on the recommendation of the department. The House approved a similar action in the case of Midshipman Childs a year or two years ago, on the theory that the young man was disabled and met his disabilities in the service of his country and in the line of his duty. This young man graduated, I think, in 1904, completing his course at Annapolis, and standing twenty-fifth in a class of some sixty-odd, and was assigned to duty. In the line of duty he was overtaken by physical misfortune, was denied an examination, and on repeated examination promotion to the rank of ensign, where he would be entitled to retirement. Without this help he is left broken in health in the service of his country, and we ask for him now what the Navy Department has asked shall be provided for in a general bill, namely, that he may be retired on three-quarters pay. It substantially amounts to that, and I hope the House will be generous to this young man.

Mr. BARTLETT. How old is this young man?

Mr. FASSETT. He must be in the neighborhood of 36.

Mr. BARTLETT. And physically unable to perform any service in the navy?

Mr. FASSETT. He is not able to pass the physical examination. He contracted the white plague, tuberculosis, while in the service. If he is promoted to ensign, he can then get the benefit of the national hospital for such unfortunates.

Mr. BARTLETT. Is that the only benefit he will get?

Mr. FASSETT. He will get his retired pay, which will be three-quarters of the regular pay.

Mr. BARTLETT. No back pay?

Mr. FASSETT. No back pay.

Mr. Chairman, I yield to my colleague from Pennsylvania [Mr. BUTLER].

Mr. BUTLER. This is one of three or four similar cases considered by the Committee on Naval Affairs of the House. Two of them are cited in this report. One similar in circumstances and facts passed this House about a year ago. That was the case of a Mr. Childs, who while still a midshipman contracted tuberculosis of the lungs, or consumption, and Congress very generously passed a special law placing him upon the retired list. It was accomplished upon the recommendation of the Navy Department. I repeat what the gentleman from New York [Mr. FASSETT] has said—the department has suggested that a general law be passed providing a general remedy such as is asked for in this case specially. I believe this to be the only branch of the service to which this right or privilege does not apply. This young man, at the expiration of the four years at the academy, went to sea and contracted this disease while performing service for the Government as a midshipman. He asks permission to go on the retired list at three-fourths the pay of an ensign, which is \$1,540 a year, and which amounts to eleven or twelve hundred dollars. He asks that this bill may be expedited, that he may be possessed of sufficient funds to enable him to go to a hospital to make an effort to be cured.

Mr. MANN. Will the gentleman allow me to ask him a question?

Mr. BUTLER. Cheerfully.

Mr. MANN. As I understand, the midshipman, if he becomes disabled during his term as such, does not go on the retired list.

Mr. BUTLER. The gentleman is correct.

Mr. MANN (continuing). And if he gets to be an ensign and becomes ill the next day, he could be put on the retired list.

Mr. BUTLER. The gentleman has stated the situation correctly.

Mr. MANN. As I understand, a midshipman, after actually leaving the academy, is still called a midshipman and can not be put on the retired list.

Mr. BUTLER. He can not be put on the retired list.

Mr. MANN. And after serving at the academy they do not get their appointment at once?

Mr. BUTLER. No.

Mr. MANN. It is still six years.

Mr. BUTLER. He has to serve two years at sea before being commissioned an ensign.

Mr. MANN. Suppose he had taken consumption while at the academy, is there not just as much reason for placing him on the retired list as there would be during the time he was serving two years afloat?

Mr. BUTLER. I do not know how to answer the gentleman's question. We were moved to report this bill favorably because this young man had had two years at sea, and his time for promotion was about reached when, upon physical examination, he was discovered to have consumption of the throat or lungs. Furthermore, it was reported to us that he had contracted this disease while at sea in the performance of his duty, and, having established a precedent not more than a year ago, the feeling of the committee was that we should ask the House to give this unfortunate young man the advantage of it and place him on the retired list.

Mr. MANN. It seems almost queer. This young man had two troubles—one was with his eye and one was with his lungs.

Mr. BUTLER. Yes, sir.

Mr. MANN (continuing). How would he be able to get into the academy with defective vision and defective lungs?

Mr. BUTLER. They both developed after admission. I believe that both of these disqualifications developed after he was admitted. He eventually adjusted the trouble with his eyes with glasses, and later on developed tuberculosis and was removed from the service.

Mr. MANN. Will the gentleman yield to a further question?

Mr. BUTLER. Yes, sir.

Mr. MANN. It is whether there is any effort on the part of the committee to adopt the suggestion made by the Secretary of the Navy, that a general bill be passed covering this kind of cases?

Mr. BUTLER. I have no doubt that such a bill will be reported, but with so many duties pending before the committee this one is not neglected, but is waiting its turn, and has not yet been considered; but I know of no division upon it in the Naval Affairs Committee.

Mr. MANN. There is no bill of that kind now?

Mr. BUTLER. None; but we do expect to report one during the next term of Congress.

The bill was ordered to be laid aside with a favorable recommendation.

The CHAIRMAN. Without objection, the House bill will be reported with the recommendation that it lie on the table.

There was no objection.

H. C. LINN AND SAMUEL POWELL.

Mr. MILLER. Mr. Chairman, I ask unanimous consent that the next bill on the calendar in its regular order be passed without prejudice, for the reason that the author of the bill [Mr. STEPHENS of Texas] is absent, and he has an amendment that he desires to offer.

Mr. MANN. What is the bill?

Mr. MILLER. It is the bill (H. R. 14000) for the relief of H. C. Linn and Samuel Powell, introduced by the gentleman from Texas [Mr. STEPHENS]. He is absent, but I am informed that he has an amendment he desires to offer to the bill, and that is why I ask that it be passed.

The CHAIRMAN. Is there objection to the request of the gentleman from Kansas? [After a pause.] The Chair hears none.

JOHN CROWLEY.

The next bill on the Private Calendar was the bill (H. R. 7807) to place John Crowley on the retired list of the United States Navy.

The bill was read, as follows:

A bill (H. R. 7807) to place John Crowley on the retired list of the United States Navy.

Be it enacted, etc., That in consideration of services rendered in the United States Navy during a period of thirty-two years, from April 11, 1865, to June 20, 1897, that the Secretary of the Navy be, and he

is hereby authorized and directed to place John Crowley on the retired list of the navy with the retired pay of the rating in which he was serving at the time of his last honorable discharge.

Mr. BATES. Mr. Chairman, this bill was introduced by the Delegate from New Mexico [Mr. ANDREWS], and as a member of the subcommittee on private bills of the Naval Committee it was assigned to me to report and bring up in the House.

The report states that John Crowley, after thirty-six years' continuous service in the army and navy, was mustered out, and this bill seeks to give him the benefit of the provision of the retirement act of 1906, he having been retired about a twelvemonth before that legislation. The man had served thirty-six years, practically continuously, in both the army and navy, and he holds eight medals for reenlistment. I ask unanimous consent that the bill be laid aside with a favorable recommendation. The report of the Naval Committee upon it was unanimous.

Mr. MANN. Mr. Chairman, I know it meets with the disapproval of my friend from Massachusetts [Mr. ROBERTS] to ask why the Naval Committee does not get reports from the department on bills, but I am not sure that it would meet with the disapproval of all the Members of the House to have such reports. Whatever may be the authority of Congress, it is the practice to send almost all bills relating to different departments to those departments for reports, and I wish that somebody for the Naval Committee would either tell why they did not do it or else say that it none of our business.

Mr. BUTLER. Why, there is a report here.

Mr. MANN. I beg the gentleman's pardon. There is no report from the Navy Department on this bill.

Mr. BATES. There are set forth in full in this report two letters from the Chief of the Bureau of Navigation of the Navy Department.

Mr. MANN. I have them before me. I have read them.

Mr. BATES. They are certainly department reports, as this Chief of the Bureau of Navigation has more specific and intimate knowledge and intimate relations with this class of cases than the Secretary of the Navy could have.

Mr. MANN. Oh, well, there is not another committee in the House, I dare say, that will insist that a private letter, or any other kind of a letter, addressed to a Member of the House in reference to a proposition, is a report on a bill from the department. The committee of which I have the honor to be a member would not for a moment consider that to be a report of a department, and we would not think for an instant of bringing a bill here in reference to putting a bridge over a stream and submitting a report that contains a letter from the Chief of Engineers to Mr. MANN, or to Mr. JONES, or somebody else in the House. The bills are referred in regular order to the head of the department, who assumes some responsibility in connection with the legislation. This is not the first bill of this sort that has been in here to-day without a report from the department. As far as the letter from the chief of the bureau is concerned, the bill would seem to have some merit; but I think that we are entitled to have the departments pass upon matters of that sort.

Mr. BUTLER. Will the gentleman surrender the floor to me?

Mr. MANN. Certainly; I am through. I have the floor no longer.

Mr. BUTLER. I agree with the gentleman from Illinois that there ought to be department reports in all instances. I call the gentleman's attention, however, to the fact that this is a bill of a character upon which the department gives no special advice. This is a gratuity, if anything, to this old sailor, in view of his thirty-seven years' service. If you pass this bill, you will put him on the retired list with pay of about \$28 or \$30 a month. He would have been entitled to this retired pay if he had been able to hold out a year or perhaps a year and a half longer, but he reached the statutory age when he had to quit the service too early to receive the benefits of general law. A year after that, or perhaps a year and a half, a general law was passed which would have placed him upon the retired list, but unfortunately for him his service at this time was complete. While we do not desire to establish a precedent, the long and faithful service of this sailor induced us to recommend to the House that he go onto the retired list, where he will find his companions retiring one year later placed under the general law.

Mr. BATES. I move that the bill be laid aside to be reported to the House with a favorable recommendation.

The motion was agreed to.

WILLIAM JENNEY.

The next business on the Private Calendar was the bill (H. R. 17059) for the relief of Mate William Jenney, U. S. Navy, retired, and the 8 other retired mates who have been

placed on the retired list with the rank and pay of one grade above that actually held by them at the time of retirement.

Mr. ELLIS of Oregon. Mr. Chairman, we are informed that by a recent ruling by the Department of Justice they have been given all that they could be given under this bill. I ask to have it passed without prejudice.

Mr. MANN. Then, why do you want to keep it on the calendar?

The CHAIRMAN. The gentleman from Oregon asks unanimous consent that the bill just reported be passed without prejudice.

Mr. MANN. Reserving the right to object, Mr. Chairman, I would like to ask the reason for keeping it on the calendar?

Mr. ELLIS of Oregon. The information came to us only a little while ago, and we would like to verify it.

The CHAIRMAN. Is there objection to the request of the gentleman from Oregon? [After a pause.] The Chair hears none.

KENNETH M'ALPINE.

The next business on the Private Calendar was the bill (H. R. 16927) for the relief of Lieut. Commander Kenneth McAlpine.

The Clerk read the bill, as follows:

Be it enacted, etc., That the President of the United States be, and he is hereby, authorized to appoint, by and with the advice and consent of the Senate, Lieut. Commander Kenneth McAlpine, U. S. Navy, a commander in the navy on the active list, subject to examination, to take rank next after Gustav Kaemmerling, as originally borne on the Navy Register from 1886 to 1903.

Sec. 2. That the said Kenneth McAlpine shall be considered to have been continuously in the naval service from the date of his appointment on September 13, 1877, but that he shall receive no pay or emolument for the period from July 17, 1903, to March 3, 1905; and that he shall be additional to the number of officers prescribed by law for the grade of commander in the navy, and to any grade to which he may thereafter be promoted.

Sec. 3. That the said Kenneth McAlpine shall perform engineering duty only, on shore only.

Mr. ROBERTS. Mr. Chairman, I move this bill be laid aside with a favorable recommendation.

Mr. MANN. I ask that the Clerk read the report, or a part of it, in my time.

The Clerk read as follows:

The Committee on Naval Affairs, to whom was referred the bill (H. R. 16927) for the relief of Lieut. Commander Kenneth McAlpine, U. S. Navy, having considered the same, report thereon with a recommendation that it do pass.

The committee recommend the enactment into a law of this bill for the relief of Lieut. Commander Kenneth McAlpine, U. S. Navy, restoring to him the rank and numbers, subject to examination, as originally borne on the Navy Register from 1886 to 1903, in the same manner as if he had remained in the service continuously from the date of his appointment on September 13, 1877. The said Kenneth McAlpine was, on July 21, 1903, discharged from the naval service with one year's pay for the alleged reason that he was morally disqualified for promotion, though he was declared to be mentally, professionally, and physically qualified for such promotion. The case was inquired into by the Committee on Naval Affairs during the second session of the Fifty-eighth Congress.

From the evidence adduced it was the opinion of the committee that an injustice had been done this officer, and upon the recommendation of the Secretary of the Navy, the committee reported with favorable recommendation a bill restoring Lieut. Commander McAlpine to service in the United States Navy. On March 3, 1905, Congress enacted this bill into a law and Lieutenant McAlpine was restored to duty in the United States Navy to rank at the head of the list of lieutenants.

From further investigation under the pending bill (H. R. 12967) it is apparent that the dismissal of this officer from the United States Navy was a punishment grossly in excess of the offense alleged, and that being out of the service between the time of his dismissal and his reinstatement by act of Congress this officer's punishment was in excess of the requirements for the good of the service.

The committee therefore believes that the restoration of the rank and numbers to this officer, which were lost to him by his dismissal from the service, is an act of justice, and is due him, in view of his record previous to the offense for which he was removed and since his restoration by act of Congress.

Mr. MANN (interrupting). That is all I desire to have read. I do not want to detain the committee, in view of the necessary absence from the House of the gentleman who introduced the bill, who is now before the Ways and Means Committee with some of his constituents. This is the second bill proposed in the interest of this gentleman. Congress passed one bill in 1905, giving him probably either all that he asked for or else all that the Naval Committee and Congress were willing to give him. There is one other case that is pending on one of the calendars, I believe, where they are asking for the third bill in behalf of one gentleman or his family. It seems to me, as a rule at least, that where one of these officers gets back into the navy by the aid of Congress, he ought to be willing to modestly wait, and not come in here before the ink is dry on the paper and ask for additional help.

The CHAIRMAN. The question is on laying the bill aside with a favorable recommendation.

The question was taken, and the bill was ordered to be laid aside with a favorable recommendation.

THOMAS J. MILLER.

The next business on the Private Calendar was the bill (H. R. 13319) for the relief of the heirs of Thomas J. Miller.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to examine into and ascertain the loss and damage sustained by Thomas J. Miller by the seizure and sinking of his ferryboat on the Columbia River by the armed forces of the United States, for the purpose of preventing the same being used by the hostile Indians during the late Bannock war in the Territory of Washington, in or about the month of July, 1878; and the sum of \$500, or as much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to enable the Secretary of War to adjust and the accounting officers of the Treasury to pay to the heirs of the said Thomas J. Miller the amount of said loss and damage as allowed under the authority of this act.

With the following amendments recommended by the committee:

After the word "damage," in line 16, insert a comma and the words "not to exceed \$500," so as to read: "not to exceed \$500, as allowed under the authority of this act."

Mr. MILLER. Mr. Chairman, I move that the amendments to this bill be adopted and it be laid aside with a favorable recommendation.

The amendments were agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

WALTER W. KEEFE.

The next business on the Private Calendar was the bill (H. R. 8733) for the relief of Walter W. Keefe.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$427.75 to Walter W. Keefe, late civil plumber in the Quartermaster's Department at Fort Egbert, Alaska, for property destroyed by fire at Arlington dock, Seattle, Wash., on May 6, 1906.

Mr. MILLER. I move the bill be laid aside with a favorable recommendation.

The question was taken, and the bill was ordered to be laid aside with a favorable recommendation.

HENRY SWIFT.

The next business on the Private Calendar was the bill (H. R. 2952) for the relief of Chaplain Henry Swift, Thirteenth Infantry, U. S. Army.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$1,231.98, said sum to be a payment in full for all losses of personal property incurred by him by reason of the wreck of the U. S. transport Morgan City in the Inland Sea of Japan on or about September 1, 1899.

The following amendment was recommended by the committee:

At the end of the bill insert the following:

"Provided, That the accounting officers of the Treasury shall require a schedule and affidavit from him, such schedule to be approved by the Secretary of War."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

DEPOSIT SAVINGS ASSOCIATION, MOBILE, ALA.

The next business on the Private Calendar was the bill (H. R. 3760) for the relief of the creditors of the Deposit Savings Association, of Mobile, Ala.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Deposit Savings Association, of Mobile, a body corporate under the laws of Alabama, be, and it is hereby, relieved of all liability for the tax of 10 per cent on the amount of its own notes used for circulation and paid out by it previous to the 3d day of March, 1875, under the provisions of section 6, acts of March 3, 1865, and July 13, 1866, and of section 3412 of the Revised Statutes of the United States.

SEC. 2. That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legal receiver of the Deposit Savings Association the sum of \$7,394.73, this sum being the amount of money heretofore made and collected by the United States of and from the property of said association on account of the liability of said association for said 10 per cent tax.

SEC. 3. That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay or refund to the legal receiver of the said Deposit Savings Association the sum of \$5,100, that being the purchase money of certain real property situate in the port of Mobile, which was, on August 20, 1874, as the property of said association and on account of its liability to said tax of 10 per cent, sold at public outcry, and afterwards by deed conveyed to the use of the United States, and subsequently to wit, on the 12th day of September, A. D. 1881, sold by the United States for the said sum of \$5,100, and that the Secretary of the Treasury be, and he is hereby, authorized and directed to pay the said legal receiver of said association the sum of \$1,857.77, which sum was collected by the United States as rent for said property from 1875 to 1881, inclusive.

Mr. MILLER. Mr. Chairman, this is the unanimous report of the Committee on Claims, and I move it be laid aside with a favorable recommendation.

Mr. MANN. This bill, Mr. Chairman, is without a precedent. There certainly ought to be some one on the Committee on Claims who knows enough about it to explain it.

Mr. MILLER. I will yield to the gentleman from Mississippi [Mr. CANDLER], who made the report.

Mr. CANDLER. Mr. Chairman, this bill was introduced by the gentleman from Alabama [Mr. TAYLOR], and has been favorably reported more than once. It was the unanimous report of the Committee on Claims of the Fifty-ninth Congress, and also the unanimous report of the committee of the Sixtieth Congress. It grew out of the issuance of some certificates of deposit or outstanding vouchers on the part of this institution amounting to about \$20,000. Before these certificates were issued and put into circulation the question was submitted to the authorities of the United States Government. The Commissioner of Internal Revenue, in a letter addressed to the assessor at Mobile, decided the association was not subject to the tax. The same question was again submitted to the Commissioner of Internal Revenue and a similar decision rendered. These two letters are appended to this report as Exhibits A and B, and will speak for themselves.

The question was for a third time decided by the Commissioner of Internal Revenue in the same way, which letter is also appended to this report, marked "Exhibit C."

Acting upon these repeated decisions of the Commissioner of Internal Revenue, the association paid out its notes as certificates of deposit, as before stated. But the Attorney-General of the United States, in reply to a question, "Can a state bank pay out its own notes without paying the tax of 10 per cent imposed by section 6, act of March 3, 1865?" submitted to him for his opinion by the Secretary of the Treasury, answered the question on the 14th day of August, 1872, in the negative. Again, on the 23d day of February, 1874, in reply to the question—

Whether the phrase, "state banking associations," used in said section, should be taken to refer exclusively to associations organized under what are known as "state banking laws," or whether it includes an ordinary business partnership formed between two or more individuals for the purpose of doing a banking business, or a railroad company issuing scrip in the form of currency—

submitted to him for his opinion by the Secretary of the Treasury, answered that said section comprehends not only associations organized under state banking laws, but associations or partnerships formed by private agreement for the purpose of carrying on the business of banking. Also, that it may be taken to include a railroad company issuing scrip in the form of currency, where the issue by the company possesses the essential characteristics of a banking operation.

The Treasury Department followed the opinion of the Attorney-General, and in the assessment list of the Commissioner of Internal Revenue for November, 1873, the Deposit Savings Association of Mobile was assessed at \$40,000, being an assessment of 10 per cent of the amount of such certificates of said association, which the Commissioner of Internal Revenue assumed had been paid out by said association between the 11th of October, 1873, and the 30th of November, 1873.

The collector of internal revenue at Mobile issued his warrant to seize the assets of said association for the payment of this assessment, and under it seized and sold and conveyed to the United States the bank building of said association in Mobile. He also seized the sum of \$7,394.73 in money, the property of the association, which he deposited in the Treasury of the United States. The seizure was made on the 29th day of June, 1874. The deed under which the land was conveyed to the United States is dated August 25, 1875. The said land and buildings were sold afterwards by the United States for the sum of \$5,100, and title made thereto on the 12th day of September, 1881.

It was subsequently referred to the commissioner again, and he says, "The case would seem to be one, therefore, in which equitable relief might be given if Congress is so disposed."

So we have the opinion rendered previous to the issuance of the certificates of deposit by the internal-revenue collector in three different instances, in which he held that these certificates were not subject to a tax of any kind, and under the decision of the officers of the United States these certificates of deposit were issued, and but for the decision of the proper authority of the United States Government they would not have been issued. Subsequent to that time, and acting upon the good faith of these decisions, they were issued, and afterwards it was held that they were taxable and the property was sold. They simply asked for the refund of the money of the proceeds of this property taken from them pursuant to these opinions, which were

contrary to what was afterwards thought to be the law. Subsequently, as I say, it was again submitted to the Commissioner of Internal Revenue, and he decided that it was a question for Congress.

Mr. MANN. Will the gentleman yield for a question?

Mr. CANDLER. Yes.

Mr. MANN. Were these deposits something like those clearing-house certificates issued in New York a year ago, that the gentlemen on that side of the House were insisting ought to pay this 10 per cent tax?

Mr. CANDLER. Well, I am not sufficiently familiar with the details of the issuance of the clearing-house certificates of New York to give the gentleman the information he desires, and I do not think that matter is involved here.

Mr. MANN. I would like to get some gentleman over there who is familiar with it. I have heard a number of gentlemen on that side of the House insisting that the administration ought to be condemned in every way because it did not require the 10 per cent tax to be paid on the clearing-house certificates. What is the difference between those and the gentleman's claim?

Mr. CANDLER. There may be none at all, so far as that is concerned, but the Attorney-General of the United States held in an opinion that the clearing-house certificates were not subject to tax.

Mr. MANN. Then I take it that the gentlemen on that side who vote for the claim with the gentleman vote with him for the claim and against him on principle, and that it is a question of dollars and cents and following the flag.

Mr. CANDLER. Which remark is accepted as a matter of pleasantry, in which spirit I am sure the gentleman makes it.

The CHAIRMAN. The question is on laying the bill aside with a favorable recommendation.

The bill was ordered to be laid aside with a favorable recommendation.

COMPANIA DE LOS FERROCARRILES DE PUERTO RICO.

The next business on the Private Calendar was the bill (H. R. 15681) for the relief of the Compañía de los Ferrocarriles de Puerto Rico.

The Clerk read as follows:

Be it enacted, etc., That jurisdiction be, and is hereby, given to the Court of Claims (notwithstanding any statutory bar of limitations) over the claims of the Compañía de los Ferrocarriles de Puerto Rico, with power to find the facts and to enter judgment against the United States for the reasonable value of the services performed by said company in the island of Porto Rico for transporting the municipal police and guardia civil between the 12th day of August, 1898, and the 31st day of August, 1902, and for the difference between the amount allowed for transporting the troops, munitions of war, supplies, and the like and the reasonable value of said services for the same period, together with the expense of repair and maintenance of telegraph lines of the Signal Corps, all of said services having been performed during the military occupation of said island.

With the following committee amendment:

Strike out all after the enacting clause and insert the following: "That jurisdiction be, and is hereby, given to the Court of Claims (notwithstanding any statutory bar of limitation) over the claims, legal or equitable, of the Compañía de los Ferrocarriles de Puerto Rico, with power to hear and determine the same, finding the facts, and render judgment against the United States, upon any liability of the United States, if such liability be found, for alleged services performed by said company in the island of Porto Rico in transporting the municipal police and guardia civil between the 12th day of August, 1898, and the 31st day of August, 1902, and in transporting the troops, munitions of war, supplies, and the like, and for alleged expense of repair and maintenance of telegraph lines of the Signal Corps, all of said services having been performed during the military occupation of said island."

Mr. MILLER. Mr. Chairman, I move the adoption of the committee amendment.

The committee amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

L. H. LEWIS.

The next business on the Private Calendar was the bill (H. R. 10986) for the relief of L. H. Lewis.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, directed to pay to L. H. Lewis, out of any money in the Treasury not otherwise appropriated, the sum of \$33.65, amount due him for expenses incurred in excess of his traveling allowance as deputy collector of internal revenue for the fiscal year ending June 30, 1906.

Mr. MILLER. Mr. Chairman, I move that the bill be laid aside with a favorable recommendation.

The motion was agreed to, and the bill was ordered to be laid aside with a favorable recommendation.

A. A. LEWIS.

The next business on the Private Calendar was the bill (H. R. 10987) for the relief of A. A. Lewis.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, directed to pay to A. A. Lewis, out of any money in the Treasury not otherwise appropriated, the sum of \$128.02, amount due him for expenses incurred in excess of his traveling allowance as deputy collector of internal revenue for the fiscal year ending June 30, 1906.

The bill was ordered to be laid aside with a favorable recommendation.

FREDERICK DAUBERT.

The next business on the Private Calendar was the bill (H. R. 17344) for the relief of Frederick Daubert.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and empowered to pay to Frederick Daubert \$596.31, out of the moneys paid by said Daubert under cash entry No. 195, made at the El Reno (Okla.) land office, and to deposit in the Treasury of the United States on account of sales of public lands the sum of \$85.19, being the balance paid by said Daubert under said entry.

Mr. MILLER. Mr. Chairman, I move that the bill be laid aside with a favorable recommendation.

Mr. BEALL of Texas. Mr. Chairman, I would like for the chairman of the committee to give an explanation of this bill.

Mr. FULTON. Mr. Chairman, I can explain. Under the act of Congress of May 2, 1890, settlers upon these lands in Oklahoma were permitted to enter them for town-site purposes upon the payment of \$10 per acre. Mr. Daubert, named in this bill, entered a tract of land and paid \$10 per acre. They afterwards decided not to use it for a town site, and he went on and improved it as under a homestead entry, for which he would have paid \$1.25 per acre, but he had already paid in at the rate of \$10 per acre, and he now seeks to get back the difference, and the only way to get it back is by an act of Congress.

The CHAIRMAN. Without objection, the bill will be laid aside with a favorable recommendation.

There was no objection.

WOODWARD CARRIAGE COMPANY, SAN ANTONIO, TEX.

The next business on the Private Calendar was the bill (H. R. 5826) to pay the Woodward Carriage Company, of San Antonio, Tex., for the loss of a horse while being used by the Department of Agriculture.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the Woodward Carriage Company, of San Antonio, Tex., the sum of \$100 for a horse that died while in use by an employee of the Department of Agriculture.

Mr. MILLER. Mr. Chairman, I move the bill be laid aside with a favorable recommendation.

Mr. MANN. Mr. Chairman, this bill may not be an illustration of the laxity of the committees, but it draws another moral lesson which I desire to call to the attention of the House. I do not remember in my service in the House in any other bill where Congress was called upon to pay for the loss of a horse which had been turned over for the use of an official of any other department of the Government, and it seems to me somewhat peculiar that that branch of the Government especially devoted to the proper care of horses should send in to Congress a request for payment for a horse killed through the inefficiency and lack of knowledge of the man who fed the horse. The report says:

The veterinarian who was immediately called said that the death of the animal was caused by improper feeding while employed by the agent of the Department of Agriculture.

[Laughter.]

The committee, in addition to recommending the payment of the money, ought to require all officials of the Department of Agriculture when they hire a livery horse to carry with them some of the numerous bulletins from the Department of Agriculture telling how to properly feed a horse. [Laughter.]

Mr. MILLER. Mr. Chairman, if the gentleman from Illinois will introduce a bill of that sort we will try to accommodate him by making a favorable report upon it. I now move that this bill be laid aside with a favorable recommendation.

The motion was agreed to.

Accordingly the bill was laid aside with a favorable recommendation.

JABEZ BURCHARD.

The next business on the Private Calendar was the bill (H. R. 7843) for the relief of Jabez Burchard.

Mr. BATES. Mr. Chairman, I move that the bill S. 3125 be substituted for the House bill. I ask unanimous consent to consider the Senate bill, which has already passed the Senate in place of the House bill.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to substitute an identical Senate bill for

the one on the House Calendar. Is there objection? [After a pause.] The Chair hears none.

Mr. MANN. And that the House bill be reported back to lie on the table?

Mr. BATES. Yes; I was going to put that motion later, and I may as well make the motion now. I move, Mr. Chairman, that the House bill lie on the table.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Navy be, and he is hereby, authorized and directed to transfer Jabez Burchard, assistant engineer, United States Navy (retired), from the half-pay list to the 75 per cent list of retired officers under section 1588 of the Revised Statutes of the United States, to take effect from the date of his retirement.

Mr. BATES. Mr. Chairman, this is a bill for the relief of Jabez Burchard, introduced by Mr. BINGHAM, of Pennsylvania, recommended by the unanimous report of the Committee on Naval Affairs, and I am designated, as a member of the subcommittee on private bills of the Committee on Naval Affairs, to report the bill. Jabez Burchard was a third assistant engineer in the United States Navy, and this bill seeks to give him the advantages, having been disabled by reason of duty in the service, of three-fourths instead of one-half pay. I move that the bill be laid aside with a favorable recommendation.

The motion was agreed to.

Accordingly the bill was laid aside with a favorable recommendation, and a similar House bill was ordered to lie on the table.

SALARY OF UNITED STATES JUDGE, PORTO RICO.

The next business on the Private Calendar was the bill (S. 2210) to increase the salary of the United States district judge for Porto Rico.

The Clerk read the bill, as follows:

Be it enacted, etc., That the salary of the United States district judge for Porto Rico shall, from and after the 1st day of July, 1908, be \$6,000 per annum.

Mr. MANN. I make the point of order that that bill, although on the Private Calendar, belongs on the Union Calendar. It is not a private bill.

The CHAIRMAN (Mr. LAWRENCE in the chair). Does anybody wish to be heard in opposition to the point of order?

Mr. MILLER. Not at all. I am not interested in this matter. The gentleman from Wisconsin [Mr. COOPER] is not here, and he is the author of the bill.

The CHAIRMAN. The Chair sustains the point of order.

GEORGE W. YOUNG.

The next business on the Private Calendar was the bill (S. 534) to reimburse George W. Young, postmaster at Wanship, Utah, for the loss of postage stamps.

The Clerk read as follows:

Be it enacted, etc., That there be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, for the reimbursement of George W. Young, postmaster at Wanship, in the State of Utah, for postage stamps stolen from a safe without fault on his part, \$163.87.

Mr. MILLER. Mr. Chairman, I move that the bill be laid aside with a favorable recommendation.

Mr. MANN. Mr. Chairman, I do not know but the bill ought to be passed, but I think the gentleman ought to show very briefly that there are special reasons for this, because the reading of this bill, if the law, would cause postmasters to think, or other people to think, that the Government made no provision for cases of this kind where stamps are stolen. They endeavor to make out, and probably do make out, a case, not without fault on the postmaster's part, as far as the regulations are concerned.

Mr. MILLER. Mr. Chairman, there is not anything in this case that is different from any other of this class of cases. It is a case of a fourth-class postmaster who was taking the same care of the funds of the Government of the United States as he was of his own property, and it would have made no difference whatever where the money had been at this time. It would have been stolen anyhow. He asked to be relieved by the Post-Office Department, and the Post-Office Department declined to relieve him.

The Postmaster-General says he knows no reason why this should become a law. We think where the postmaster of a fourth-class office, without any salary, and no allowance scarcely, where he has taken honest care of the postage stamps of the United States Government and loses them, ought not be required to stand the loss. We have reported a number of bills of this character, and they have become law.

Mr. MANN. I said that I thought probably the bill ought to pass, but it ought not to leave the inference that there is

nothing exceptional in the case from the ordinary case, because the Government makes provision without acts of Congress for paying, if the man had complied literally with all of the postal regulations.

Mr. STAFFORD. I noticed, reading from the letter of the then Postmaster-General, Mr. Cortelyou, that the department considered he had been derelict in ordinary care in taking charge of these postage stamps, because the safe from which the stamps had been pilfered by robbers had been previously broken into and had never been repaired. One of the regulations of the department, so far as the care of postage stamps is concerned, requires postmasters to keep postage stamps in their personal custody or else exercise reasonable care for their preservation, and here we find that the postmaster did not take the reasonable care that the department thought should be exercised by postmasters of securities of this high order.

Mr. MILLER. The evidence in this case showed to the committee conclusively that the postmaster had taken proper and ordinary care. He had had the safe repaired. It did not work very well after it was repaired, probably not as well as it had before, but he had taken every precaution he possibly could, and, notwithstanding his repairing of the safe as it was repaired, it had been opened.

Mr. STAFFORD. Then the gentleman takes issue with the then Postmaster-General, who stated that the safe had not been repaired, for in his letter to Senator Smoor, of date January 16, 1907, he makes the explicit statement that the safe had not been repaired—

Mr. MILLER. I call the attention of the gentleman—

Mr. STAFFORD (continuing). And afforded no protection whatever to its contents.

Mr. MILLER. I call the attention of the gentleman to the statement of the postmaster himself, which follows that statement, which says that it had been repaired.

Mr. STAFFORD. But not under oath, and a statement which postmasters may be willing to make when there is a money claim involved.

Mr. MILLER. Let me suggest to the gentleman that we took the statement of the postmaster, believing it was true, because he was reported to us as a man of the very highest character, not only by the Senator from his State, who was interested in the matter, but also by the Member of the House from that district, the gentleman from Utah [Mr. HOWELL]. We took their statements as to his character and his standing.

Mr. STAFFORD. And the Post-Office Department—if Mr. Cortelyou's statement is to count for anything—made an investigation and ascertained that he had not taken reasonable care, but had negligently left the stamps in a safe that had previously been blown open and which had not been repaired, and therefore in an unsafe place.

Mr. WALDO. The rule in regard to these small post-offices is, if they have a safe, it must be locked; if they have not a safe, but only have a drawer without any lock, they may keep the stamps in the drawer without any lock, if that is where their own money is kept. It is merely technical.

Mr. STAFFORD. I wish to challenge the statement that the regulations will relieve them of the responsibility for the funds of the Post-Office Department if they deposit them in a drawer and leave it unlocked.

Mr. WALDO. It is so; if that is where he keeps his own money.

Mr. STAFFORD. Well, no reasonable man does that with his own money.

Mr. WALDO. Yes; they do.

Mr. STAFFORD. They do not leave it unprotected.

Mr. MURDOCK. Do you contend that the average postmaster has a safe?

Mr. STAFFORD. The postmaster, according to the regulations, has to care for the funds, and generally takes the stamps home and keeps them in his personal possession.

Mr. MILLER. Mr. Chairman, we have already taken enough time to pay this claim.

Mr. MANN. Mr. Chairman, I think the claim ought to be paid. I served once under the Post-Office Department myself. I know what the regulations are and know how ridiculous their enforcement often is. When I was postmaster I often had a thousand to two thousand dollars in my possession as a consequence of international business. There was no national depository in my own town. We had a safe connected with my father's office, in which he put papers, and he said that he did not wish to invite burglars into his safe [laughter] and would not permit me to deposit the funds of the post-office there. So I was compelled to take the money to the bank which was next door and had to go there and get it. After a while the regular inspector would come around. The first thing he would do

would be to count the cash. So he would go to the cash drawer, and I would walk to the bank and bring the money in. In the course of a few weeks I received notice from the Post-Office Department informing me that I was violating the regulations of the department in not carrying the money around in my jeans, and warning me that a continued violation of the regulations would warrant my dismissal. Nothing more ridiculous has ever occurred to me in my life than the measures which the Government requires a postmaster to take for the protection of the money, and which will require him to keep it in a worse and less safe way possibly.

The bill was ordered to be laid aside with a favorable recommendation.

LAWSON M. FULLER.

The next business on the Private Calendar was the bill (H. R. 5461), for the relief of Lawson M. Fuller, major, Ordnance Department, U. S. Army.

The bill was read, as follows:

Be it enacted, etc., That to reimburse Maj. Lawson M. Fuller, Ordnance Department, U. S. Army, for loss incurred by him of his personal effects during their transportation on board the United States chartered transport Morgan City to the Philippine Islands, whither he had been ordered to join his station, there shall be paid to him, out of any money in the Treasury of the United States not otherwise appropriated, a sum equal to the loss so sustained by him: *Provided,* That the accounting officers of the Treasury shall require a schedule and affidavit from him, such schedule to be approved by the Secretary of War.

SEC. 2. That the relief granted by the provisions of this act shall be in full satisfaction of any and all claims whatever against the United States on account of this loss.

The bill was ordered to be laid aside with a favorable recommendation.

ABRAHAM JONES.

The next business on the Private Calendar was the bill (H. R. 8924) for the relief of the heirs of Abraham Jones.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, directed to pay, out of any money in the Treasury not otherwise appropriated, to the heirs of Abraham Jones, deceased, late of Union County, Miss., the sum of \$54.54, being the balance due said Abraham Jones for carrying the mails under contract with the United States Government on route No. 7480, between Oxford, Miss., and Rockford, Miss., from January 1, 1861, to March 31, 1861.

MR. MILLER. I move that the bill be laid aside with a favorable recommendation.

MR. MANN. I would like to ask the gentleman a question, as there are a number of these bills that have been reported in the last few years. How much will the claimant probably get out of it if the claim is allowed, and how much will the Washington attorneys, who worked up the claim, get? Do you suppose the claimant will get any of this \$54?

MR. MILLER. So far as the committee knows, there is no attorney connected with the case whatever. The amount is \$54, and I assume it will go to the claimant.

MR. CANDLER. I can state to the gentleman from Illinois that no attorney represents this claim. My colleague from the second district [Mr. SPIGHT] introduced the bill, presented the affidavits, and is the only representative of the claim.

The bill was ordered to be laid aside with a favorable recommendation.

ALICE M. STAFFORD.

The next business on the Private Calendar was the bill (S. 1729) for the relief of Alice M. Stafford, administratrix of the estate of Capt. Stephen R. Stafford.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, directed to pay to Alice M. Stafford, administratrix of the estate of Capt. Stephen R. Stafford, of the Fifteenth Infantry, U. S. Army, out of any money not otherwise appropriated, the sum of \$749.92, the same being the amount of money necessarily advanced and paid by him out of his own personal funds while first lieutenant and regimental quartermaster, Fifteenth Infantry, post quartermaster and commissary at Fort Wingate, N. Mex., in the years 1879 and 1880, in order that the troops in said command might have fresh beef and necessary food during the fourteen months' drought in which no rain fell in the region of said fort, and during which time the beef presented for issue by the beef contractor was of such poor quality as to be unfit for food for said command.

MR. MILLER. I move that the bill be laid aside with a favorable recommendation. I desire to make a statement with reference to this case. This is a case that was considered—

MR. MANN. Is the gentleman talking on his motion? The motion is not in order until we dispose of general debate.

MR. MILLER. Mr. Chairman, I desire to make a statement in reference to the case.

THE CHAIRMAN. The question is on laying aside the bill with a favorable recommendation, and the gentleman from Kansas has the floor.

MR. MILLER. This bill was considered very fully in Committee of the Whole House on the state of the Union formerly.

The bill was reported to the House. It passed the House and the Senate, and then it went to the President and was by the President of the United States vetoed, for the reason that the amount of the bill was larger than the records of the War Department showed that the man was entitled to.

In other words, the records in the department showed that he was entitled to about \$749, as I remember it now, while the bill provided for the payment of about \$1,100 or \$1,200. The President vetoed it distinctly for the reason, as he stated in his veto message, that the amount was larger than the records showed the officer was entitled to. The bill was reintroduced for the purpose of correcting the error, and it is now reported by the committee for the amount which the records of the War Department show he was entitled to. There was no question whatever about the right of the man to recover in the mind of any member of the committee who carefully considered this matter, and I trust that the Committee of the Whole will lay it aside with a favorable recommendation.

The bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

SAMUEL L. BARNHART.

The next business was the bill (H. R. 17026) for the relief of Samuel L. Barnhart.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he hereby is, authorized to refund to Samuel L. Barnhart, of St. Lawrence County, N. Y., the sum of \$639.48, and pay said amount to him out of any money in the Treasury not otherwise appropriated, the same being for duties wrongfully and illegally collected from said Barnhart.

The following committee amendment was read:

In line 8 strike out the words "wrongfully and illegally," and at the end of the bill add the words "on account of an error in billing same from Cornwall, Ontario."

MR. MILLER. Mr. Chairman, I move that the bill be laid aside with a favorable recommendation.

MR. MANN. Especially in view of the absence of members of the Committee on Ways and Means, there certainly ought to be an explanation of this bill.

MR. MILLER. I yield to the gentleman from New York [Mr. MALBY], who introduced the bill.

MR. MALBY. Mr. Chairman, this bill is for the return by the Treasury Department to Mr. Barnhart of the sum of about \$650 for certain duties which he paid under the following circumstances: Mr. Barnhart was the owner of a cheese factory located at Barnharts Island, in the river St. Lawrence, which is contiguous to Canadian territory, but within the limits of the United States. He shipped the cheese from Barnharts Island via Cornwall, which is the port of entry nearest the island, to consignees in Boston. He made application to the United States consul at Cornwall for an invoice which would carry the goods through in bond to Boston, as provided by our laws, but the consul gave him the wrong invoice, which called for the payment of duties at Boston instead of allowing them to go free from one point in the United States to another point in the United States, as they were entitled to. The cheese having arrived at St. Albans, the first American port of entry on its road to Boston, a demand was made for the payment of the customs duties, which were paid unknown to Mr. Barnhart. Clearly this collection by the Government of the United States was wholly illegal and without warrant of any law. Clearly it should be refunded, because it was a payment made where no law required it. This bill is to reimburse Mr. Barnhart for the amount of duty paid.

MR. KEIFER. Does not the statute give a person who pays duty under such circumstances the right to go into court and determine the matter?

MR. MALBY. I will say to the gentleman from Ohio that there is no such law. There is a provision that if the shipper makes a claim within ten days after the date of shipment, the Secretary of the Treasury has the right to reimburse him. In this case there was no knowledge on the part of the shipper that anybody had paid the amount until after the ten days expired.

MR. MILLER. There was no opportunity whatever to give the notice.

MR. MALBY. There was no opportunity whatever to give the notice, because the duty had been paid more than ten days prior thereto without notice. The consignee paid it at the first American port, St. Albans.

MR. KEIFER. There certainly is a statute which allows a person who makes an illegal payment of that kind to do it under protest and go into court and have the matter adjusted.

MR. MALBY. That is just the difficulty. We did not have notice that our cheese was held up for the payment of duties. You have a right to ship goods through in bond from one port

in the United States to another port of the United States, even though they go through foreign territory on the way. That is precisely what we undertook to do, but the difficulty was that when we arrived at the first port of entry, owing to the fact that the consul at Cornwall had given a wrong invoice, being a mistake of the government official, the consignee was obliged to pay the duty or our cheese would have been confiscated. No notice was given to us of the payment until after the ten days elapsed. Hence, we are obliged to come here for relief, because the Secretary of the Treasury holds that he has no warrant of law to make the repayment.

Mr. KEIFER. Was an application made to the Treasury Department to adjust it?

Mr. MALBY. There was, and the Secretary affirmed what I have said.

Mr. MANN. Does not the gentleman a little mislead us by saying that "We paid the duties?" Is it not the fact that the consignee paid the duties without the knowledge of the consignor until after the time for making application had passed?

Mr. MALBY. That is true. I did not intend to mislead you; I mean to say that the consignee paid the duties out of the moneys which he owed us.

Mr. MANN. I did not mean to intimate that the gentleman intentionally misled us.

The bill was ordered to be laid aside with a favorable recommendation.

ANNIE WARD.

The next business on the Private Calendar was the bill (S. 558) to authorize a patent to be issued to Annie Ward, formerly Annie Brown, for certain lands therein described.

The Clerk read the bill.

Mr. MILLER. Mr. Chairman, I desire to call attention to the fact that the author of the bill is not present, and ask that it be passed without prejudice.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent that the bill be passed without prejudice. Is there objection?

There was no objection.

JOHN WAGNER.

The next business on the Private Calendar was the bill (H. R. 4119) to pay John Wagner, of Campbell Hall, N. Y., for carrying the mails.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to pay to John Wagner, of Campbell Hall, N. Y., out of any money in the Treasury not otherwise appropriated, the sum of \$152.53, for carrying the United States mails to the Wallkill Valley Railway and to the post-office at Campbell Hall, N. Y., from November 3, 1897, to January 7, 1901.

The bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

HILARY WILLIAMS.

The next business was the bill (H. R. 10416) to correct the naval record of Lieut. Hilary Williams, U. S. Navy.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Navy be, and he is hereby, authorized and directed to amend the naval record of Lieut. Hilary Williams, U. S. Navy, by placing his name on the official Navy Register of the Navy Department next after that of Lieut. Charles T. Owens, U. S. Navy, and to receive rank of Lieutenant, United States Navy, from January 1, 1904.

Mr. MANN. Had not this bill better be passed without prejudice?

Mr. BUTLER. Mr. Chairman, unless gentlemen have some questions to ask, I move that it be laid aside with a favorable recommendation. The bill is recommended by the department, and its purpose is to restore the officer to the place he lost on the Register because, at the time he lost it, the Navy Department did not have the regulation that it now has. The officer was on duty and did not have time or opportunity to prepare for examination, and when the examination time was reached he was unprepared, failed, and lost 47 numbers. The Committee on Naval Affairs at first recommended that he should lose but 10 numbers. The Navy Department sent us the second communication. It desired that he should not be demoted at all, but that he should be restored to the place on the Register to which he originally belonged. He has passed a good examination since. If this examination had occurred a little later he would not have lost a single number. He would have had a chance for a second examination and would undoubtedly have passed. This, according to a naval regulation passed shortly after his failure. In view of the recommendation of the department and the extenuating circumstances, we concluded he should have his original place on the Register, and I ask that the bill be laid aside with a favorable recommendation.

Mr. HULL of Iowa. Mr. Chairman, the law in regard to the army and navy officers requires that if they fail in examination they shall have the man promoted over them that passes, and they have a year to come up for another examination for promotion to the grade that is open. If that law means anything, it means that those that give the most attention to their duties, that are best qualified as officers, shall be the ones to receive the promotion.

There is a law passed by Congress this last session that provided in the medical department of the army that a man that failed of examination should never be promoted. In other words, Congress expressed itself that a man to receive promotion must show that he is worthy of it by being able to pass the examination each time. I assume that there are at least 50 men in the army who have been set back by waiting a year for examination. I do not believe they ought to go ahead of the men that passed the examination when they failed, and for that reason I hope that the Committee on Naval Affairs will not set a precedent for Congress to set aside the laws of Congress each time by providing that a man shall lose nothing if he fails to pass an examination. Now, if this bill does not do that, what does it do? If this bill passes, you restore him to what he would have had if he had not failed.

Mr. BUTLER. Yes; but this man did not have an opportunity to prepare himself for the examination. When the opportunity was given, he did prepare himself and passed successfully, and it for that reason that the department asks that an exception be made in his case. He is a splendid officer, and the department has no desire that he should be demoted 47 numbers.

Mr. MURDOCK. Mr. Chairman, I want to know of the gentleman from Pennsylvania [Mr. BUTLER] if this bill, which will be to the benefit of the man named, will be to the detriment of anyone.

Mr. BUTLER. Yes, it will. The gentleman will note that the officer fell back under the naval regulations 47 numbers, because of his failure. When he finally passed his examination he was still back 47 numbers. If he had not been unfortunate he would have been ahead the 47 numbers, but his failure to pass, I state to my friend, was not chargeable to any neglect on his part. It was because he did not have the chance to prepare, and it is for that reason the department asks that he should be restored to the place on the register the department thinks he ought to have. We are not in favor of promoting men who fail in their examinations because of neglect on their part.

Mr. HULL of Iowa. How long a time elapsed between his first and second examinations?

Mr. BUTLER. I can not tell exactly, but my recollection is that it was a short time.

Mr. MANN. May I inquire of the gentleman who reported the bill how many reports he has made of this bill?

Mr. BUTLER. Mr. Chairman, the first report was made in which we recommended that he should be demoted 10 numbers. The department then sent the second letter to the committee and suggested it was not the intention of the department to recommend that he should be demoted a number under the circumstances, and we then made a second report—two reports, I will state to the gentleman, that I remember of.

Mr. MANN. How many numbers does this demote or promote the man?

Mr. BUTLER. If this bill passes he will not be demoted at all.

Mr. MILLER. It restores him.

Mr. MANN. The gentleman says the department recommends the passage of the bill?

Mr. BUTLER. Yes, in answer to my friend; it does in both letters. It says other officers failing were given a second examination; and by Naval Regulations all failing officers are now given a second examination. But this gentleman, Mr. Hilary Williams, was not given a second examination, because at that time there was no rule of the department which would entitle him to it.

Mr. MANN. Is it not a fact that on the other report which the gentleman made, reporting the same bill, he included a letter from the department which he conveniently leaves out of this report—

Mr. BUTLER. Mr. Chairman, I did not leave out any statement or report from the department. Everything the department has sent the committee relating thereto is in this report, and I do not "conveniently" leave anything out, because I am not "conveniently" interested in this bill, except as a Member of this House, and I am not here for the purpose of misleading anybody.

Mr. MANN. If the gentleman takes offense at anything I said, I beg his pardon; it was not intended as an offense. I see that he does not leave the letter out, even. The letter upon which was based the first report distinctly recommended that the man should not be put back in his original position, but should lose 10 numbers. The second letter provides the same thing. The gentleman says that the department recommends the passage of this bill. I say the department is not in favor of the passage of this bill.

Mr. BUTLER. Mr. Chairman—

Mr. MANN. Oh, I am reading the language right before me. The department recommends favorable action on the bill which will put this man back to where he was before, with the loss of 10 numbers.

Mr. BUTLER. Mr. Chairman, if the gentleman will permit me, at the conclusion of the letter sent to the Naval Affairs Committee on March 16, 1908, a month and six weeks subsequent to its former letter, this language appears:

The intention of the department was to recommend the bill as originally introduced to the favorable consideration of the committee, but that it considered it very desirable that the law as it now stands be changed so that an officer who failed to pass an examination for promotion would lose 10 numbers rather than a year's suspension. Other officers who failed about the same time Lieutenant Williams did were given a second examination, and thus did not lose numbers, and it is to put Lieutenant Williams on the same footing as these other officers that the department favors this bill.

Mr. MANN. That is all very true; but what is the bill the department is talking about? It is talking about the bill about which the department uses this language:

The bill has been amended, as the department understands, so as to reduce the loss of numbers suffered by Lieutenant Williams from 47 to 10. The original bill restored him to his original place on the list.

And the bill recommended by the department is not the original bill restoring him to his original place on the list, but reducing him 10 numbers. If the gentlemen would only read more carefully their own reports—

Mr. BUTLER. Mr. Chairman, I state the facts as distinctly as I know how to state them. Furthermore, from a conversation that I had at the department, it is the desire of the department that this man should be put in his proper place, and at the right time I shall move that this bill be laid aside with a favorable recommendation.

Mr. MANN. Mr. Chairman, while I might not agree with the distinguished gentleman from Pennsylvania [Mr. BUTLER] as to what is in the report—I am just as qualified to read that as he is, and I am sure he has not read it as recently as I have—when he makes a statement as to the desire of the department from a conversation with them, knowing him as I do I am willing to accept his statement. [Applause.]

Mr. BUTLER. Thank you.

The bill was ordered to be laid aside with a favorable recommendation.

WARNER BAILEY.

The next business on the Private Calendar was the bill (H. R. 17640) to authorize the issuance of a patent to the assignees of Warner Bailey for land located in Choctaw County, State of Alabama.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Commissioner of the General Land Office be, and he is hereby, authorized and directed to issue a patent to the assignees of Warner Bailey conveying all the right, title, and interest of the Government of the United States in and to the following-described land: West half northeast quarter and east half northwest quarter, section 36, township 12 north, range 3 west, lying and situated in Choctaw County, State of Alabama.

The committee amendment was read, as follows:

Provided, That the said patent shall be in full satisfaction of and shall extinguish military bounty-land warrant No. 75743.

The bill as amended was ordered to be laid aside with a favorable recommendation.

COLON ELOY ALFARO.

The next business on the Private Calendar was the joint resolution (H. J. Res. 157) authorizing the Secretary of War to receive for instruction at the Military Academy at West Point Mr. Colon Eloy Alfaro, of Ecuador.

The Clerk read the bill, as follows:

Resolved, etc., That the Secretary of War be, and he is hereby, authorized to permit Mr. Colon Eloy Alfaro, of Ecuador, to receive instruction at the Military Academy at West Point: *Provided,* That no expense shall be caused to the United States thereby, and that the said Colon Eloy Alfaro shall agree to comply with all regulations for the police and discipline of the academy, to be studious, and to give his utmost efforts to accomplish the courses in the various departments of instruction: *And provided further,* That in the case of the said Colon Eloy Alfaro the provisions of sections 1320 and 1321 of the Revised Statutes shall be suspended.

Mr. HULL of Iowa. Mr. Chairman, I will say this is simply the ordinary resolution that has always been favorably consid-

ered by Congress. When any of our sister republics request this the Secretary of State sends it to the War Department and the War Department transmits it to Congress. I therefore move that it be laid aside with a favorable recommendation.

The CHAIRMAN. The gentleman moves that the bill be laid aside with a favorable recommendation. Is there objection? [After a pause.] The Chair hears none.

S. R. HURLEY.

The next business on the Private Calendar was the bill (H. R. 17276) for the relief of S. R. Hurley.

The Clerk began the reading of the bill.

Mr. BUTLER. Mr. Chairman, before that other bill is laid aside I would like to ask one question of the chairman. Mr. Chairman, I stated as loudly as I could that I would like some information. I would like to ask the chairman of the Committee on Military Affairs a question.

Mr. MILLER. Suppose you let this bill be first read; it is too late now.

Mr. BUTLER. It is not too late. I will stand here until I get the attention of the Chair.

The CHAIRMAN. The gentleman from Pennsylvania will wait until the Clerk reports the bill.

Mr. MILLER. I would ask unanimous consent that the gentleman—

Mr. BUTLER. No; I was on my feet asking for recognition. The Clerk read as follows:

Be it enacted, etc., That there be paid, out of money in the Treasury of the United States not otherwise appropriated, the sum of \$615 to S. R. Hurley, of Grundy, Va., for expenses incident to defending an indictment made in Pike County, Ky., and Covington, Ky., against said S. R. Hurley and others for the murder of A. C. Centers while attempting to make an arrest for violation of the internal-revenue laws of the Government.

The committee amendment was read, as follows:

In line 5, after the word "dollars," insert the following: "or so much thereof as in the opinion of the Secretary of the Treasury was properly incurred."

Mr. MILLER. Mr. Chairman, before moving to lay the bill aside with a favorable recommendation I desire to yield to the gentleman from Pennsylvania in order for him to make an inquiry.

Mr. BUTLER. Mr. Chairman, I am obliged to the gentleman from Kansas for according me what I already had the right to have. I was on my feet demanding recognition from the Chair. I want to ask the gentleman from Iowa [Mr. HULL] whether or not we are now admitting at West Point students from other countries to learn our arts of war?

Mr. HULL of Iowa. Does the gentleman from Kansas yield to me to answer?

Mr. MILLER. I do.

Mr. HULL of Iowa. Mr. Chairman, I will say we are, and that the Congress of the United States has never yet refused, especially to the Latin-American republics, these requests, an act of comity that has always been extended to anyone sent from those republics.

Mr. BUTLER. To Japanese and Chinese also?

Mr. HULL of Iowa. Yes; and—

Mr. MILLER. Mr. Chairman, I move that this bill be laid aside with a favorable recommendation.

The CHAIRMAN. Without objection, the amendment will be considered as agreed to, and the bill will be laid aside with a favorable recommendation. [After a pause.] The Chair hears no objection.

Mr. BARTLETT of Georgia. Mr. Chairman—

Mr. MILLER. One moment, please.

Mr. BARTLETT of Georgia. Before the bill is passed—

Mr. MILLER. Does the gentleman from Georgia make an objection?

Mr. BARTLETT of Georgia. No; but I want to make some inquiry about the bill before it is passed.

Mr. MILLER. I will be glad to answer any question that the gentleman desires to ask.

Mr. MANN. If the Chair will pardon me, we can not sometimes hear what the Chair says when he puts the question.

Mr. BARTLETT of Georgia. I was on my feet and coming down the aisle.

The CHAIRMAN. The Chair stated that without objection the bill would be laid aside.

Mr. MANN. We could not hear what the Chair said.

Mr. MILLER. Mr. Chairman, I yield to the gentleman to ask a question.

The CHAIRMAN. The gentleman from Kansas will be understood as withdrawing his motion.

Mr. BARTLETT of Georgia. I did not catch the reading of the bill. Is this a bill to pay for physical injuries incurred by some one or for expenses incurred in attending to some case?

I am interested in knowing what sort of precedent we are setting here, for there have been some requests made of me to introduce similar bills, and I want to know what the case is.

Mr. MILLER. The claimant in this case was a member of a posse that went out to arrest some men who were engaged in illicit distilling, and during the time they were attempting to make the arrest, and after the officers had been fired upon by the men engaged in that business and one of the officers, I think, killed and another seriously wounded, this gentleman, through his bravery and his courage, rescued the posse that was there to make the arrest. Notwithstanding this, he was afterwards indicted and taken to another State for the purposes of trial, and when the case was called for trial he appeared and was ready for trial. But nobody representing the prosecution was there to appear. The case was continued, and the second time the case was called to trial he was there again with his witnesses. Then the case was dismissed. He comes in and asks that he be reimbursed for the amount actually expended in preparing for the trial of the case. Everybody who has had anything to do in connection with the case recommends favorable action.

Mr. MURDOCK. How much does the bill carry?

Mr. MILLER. Six hundred and fifteen dollars, or so much thereof as in the opinion of the Secretary of the Treasury was properly incurred. It leaves the matter with the Secretary of the Treasury to determine whether he is entitled to that.

Mr. BARTLETT of Georgia. As I understand it, he was indicted for some offense, possibly murder, in some state court?

Mr. MILLER. He was indicted, charged with murder.

Mr. BARTLETT of Georgia. In a state court?

Mr. MILLER. In the federal court.

Mr. MANN. He was indicted in a state court. He belonged in Virginia. They had a fight right across the state line.

Mr. MILLER. The fight was on the state line between Virginia and Kentucky.

Mr. BARTLETT of Georgia. I am not opposing the bill. I am simply trying to get some information.

Mr. MANN. He was indicted in Kentucky for murder.

Mr. BARTLETT of Georgia. He was called on by the United States officers to aid them in arresting some one for whom they had a warrant?

Mr. MILLER. That is right. He was summoned by the deputy collector in the matter.

Mr. BARTLETT of Georgia. I want to say to the gentleman from Kansas, and to the author of the bill, my friend from Virginia [Mr. SLEMP], that I did not rise for the purpose of opposing the bill. I got an idea it was something else. I had a case which I recently introduced in a similar bill, which was referred to the Committee on Claims, and very much of the same character, and I wanted to make some inquiry about this.

Mr. MILLER. That will be introduced as soon as possible.

Mr. BARTLETT of Georgia. It has been introduced and referred to the gentleman's committee.

Mr. MILLER. I renew my motion to lay the bill aside with a favorable recommendation.

The motion was agreed to, and the bill was laid aside with a favorable recommendation.

WILLIAM RADCLIFFE.

The next business on the Private Calendar was the bill (H. R. 13586) for the relief of William Radcliffe.

The Clerk read as follows:

Be it enacted, etc., That the sum of \$25,000 be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to pay William Radcliffe, a British subject, for damages caused by destruction of his fish hatchery and property in Delta, Colo., by a mob in 1901.

Mr. WALDO. In that case, the Senate bill is also on the calendar—No. 995—it having passed the Senate. I therefore move that the Senate bill be substituted in place of the House bill, that the House bill be laid on the table, and that the Senate bill be laid aside with a favorable recommendation.

The CHAIRMAN. Will the gentleman from New York give the Chair the number of the Senate bill?

Mr. WALDO. The number of the bill is S. 5207. The calendar number is 995.

The CHAIRMAN. The gentleman from New York [Mr. WALDO] moves the substitution of the bill S. 5207 for the bill H. R. 13586, and that the pending House bill do lie on the table.

The question was taken, and the motion was agreed to.

Mr. MURDOCK. Will the gentleman kindly explain this bill?

Mr. MANN. What is the bill now before the committee?

Mr. WALDO. For the relief of William Radcliffe, Calendar No. 995.

Mr. MURDOCK. You have substituted the Senate bill for the House bill?

Mr. WALDO. Yes.

Mr. MURDOCK. Does the Senate bill carry \$25,000? Will the gentleman explain what the destruction of this fish hatchery was?

Mr. WALDO. William Radcliffe was an English citizen who made an arrangement with the State of Colorado to establish a fish hatchery in a town, the name of which I have forgotten, and in which enterprise he had invested nearly a hundred thousand dollars, if I recollect.

He made a claim for \$65,000 to our State Department through the British minister. It came from the foreign office of Great Britain. An arrangement was made between Secretary Hay and the British minister, that Mr. Radcliffe be paid \$25,000 in full settlement of his claim. To this settlement Mr. Radcliffe agreed. That is the amount this bill proposes shall be paid him. It is recommended by Secretary Hay, Secretary Root, and the President that this claim be paid and settled in full at \$25,000, and it ought to have been paid before.

The bill was ordered to be laid aside with a favorable recommendation.

GEORGE W. FLEMING.

The next business on the Private Calendar was the bill (H. R. 6032) to pay to the administratrix of the estate of George W. Fleming for services rendered as letter-box inspector from March 29, 1902, to June 13, 1903.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Zora S. Fleming, or to her successor, administratrix of the estate of George W. Fleming, deceased, the sum of \$1,073.35, for services rendered by said George W. Fleming as letter-box inspector at Adrian, Mich., from March 29, 1902, to June 13, 1903.

The bill was ordered to be laid aside with a favorable recommendation.

ORDER OF BUSINESS.

Mr. MILLER. Mr. Chairman, I move that the committee rise and report the bills to the House with the recommendation that the amendments be agreed to and that the bills as amended do pass.

The motion was agreed to.

The committee accordingly rose; and Mr. SHERMAN having assumed the chair as Speaker pro tempore, Mr. FOSTER of Vermont, Chairman of the Committee of the Whole House, reported that that committee had had under consideration sundry bills, and had directed him to report the same back, some with amendments, some without amendments, with the recommendation that the amendments be agreed to and that the bills do pass. The committee had also directed him to report the bills H. R. 7843, H. R. 1199, and H. R. 13586 to the House with the recommendation that they do lie on the table; and also that the bill S. 2210 be referred to the Union Calendar.

Mr. PRINCE. A parliamentary inquiry. I think there is also a House joint resolution that has not been reported, as I understand it.

The SPEAKER pro tempore. That was given by the gentleman's report in the various bills reported and is enumerated in the memorandum which the Chairman handed to the Clerk.

Mr. MILLER. Mr. Speaker, I ask unanimous consent that the previous question may be considered as having been ordered upon all bills and amendments thereto to their final passage.

The SPEAKER pro tempore. The gentleman from Kansas asks unanimous consent that the previous question be considered as ordered on all the bills and joint resolution to their passage. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

HOUSE BILLS PASSED WITHOUT AMENDMENT.

Bills of the House of the following titles, without amendment, were severally ordered to be engrossed for a third reading; and being engrossed, were accordingly read the third time and passed:

A bill (H. R. 14343) to correct the naval record of Randolph W. Campbell;

A bill (H. R. 10606) for the relief of Robert S. Dame;

A bill (H. R. 16015) for the relief of Lafayette L. McKnight;

A bill (H. R. 4737) to correct the military record of John B. Ford;

A bill (H. R. 7963) for the relief of Patrick Conlin;

A bill (H. R. 7807) to place John Crowley on the retired list of the United States Navy;

A bill (H. R. 16927) for the relief of Lieut. Commander Kenneth McAlpine;

A bill (H. R. 3760) for the relief of the creditors of the Deposit Savings Association, of Mobile, Ala.;

A bill (H. R. 10987) for the relief of A. A. Lewis;
 A bill (H. R. 5826) to pay the Woodward Carriage Company, of San Antonio, Tex., for the loss of a horse while being used by the Department of Agriculture;
 A bill (H. R. 5461) for the relief of Lawson M. Fuller, major, Ordnance Department, U. S. Army;
 A bill (H. R. 8924) for the relief of the heirs of Abraham Jones;
 A bill (H. R. 4119) to pay John Wagner, of Campbell Hall, N. Y., for carrying the mails;
 A bill (H. R. 10416) to correct the naval record of Lieut. Hilary Williams, U. S. Navy;
 A bill (H. R. 6032) to pay the administratrix of the estate of George W. Fleming for services rendered as letter-box inspector from March 29, 1902, to June 13, 1903;
 A bill (H. R. 8733) for the relief of Walter W. Keefe;
 A bill (H. R. 10986) for the relief of L. H. Lewis; and
 A bill (H. R. 17344) for the relief of Frederick Daubert.

JOINT RESOLUTION PASSED.

A House joint resolution of the following title, reported from the Committee of the Whole House without amendment, was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time and passed:

Joint resolution (H. J. Res. 157) authorizing the Secretary of war to receive for instruction at the Military Academy at West Point, Mr. Colon Eloy Alfaro, of Ecuador.

HOUSE BILLS PASSED WITH AMENDMENTS.

On the following House bills, reported from the Committee of the Whole House with amendment, the amendments were agreed to, and the bills as amended severally ordered to be engrossed for a third reading; and being engrossed, were accordingly read the third time and passed:

A bill (H. R. 12760) to correct the military record of Isaac N. Fordyce;
 A bill (H. R. 7006) to correct the military record of George W. Hedrick;
 A bill (H. R. 11460) to remove the charge of desertion from the military record of William H. Houck;
 A bill (H. R. 7071) for the relief of James McKenzie;
 A bill (H. R. 14974) for the relief of Charles A. Bess;
 A bill (H. R. 8545) for the relief of Jackson Pryor;
 A bill (H. R. 8615) to correct the naval record of Edward T. Lincoln;
 A bill (H. R. 4931) to correct the military record of Corwin M. Holt;
 A bill (H. R. 1086) to correct military record of Pleasant Thomas, late of Company B, East Tennessee National Guards;
 A bill (H. R. 1081) to pay Thomas P. Morgan, jr., amount found due him by Court of Claims;
 A bill (H. R. 13319) for the relief of the heirs of Thomas J. Miller;
 A bill (H. R. 2952) for the relief of Chaplain Henry Swift, Thirteenth Infantry, U. S. Army;
 A bill (H. R. 15681) for the relief of the Compañía de los Ferrocarriles de Puerto Rico;
 A bill (H. R. 17026) for the relief of Samuel L. Barnhart;
 A bill (H. R. 17640) to authorize the issuance of a patent to the assignees of Warner Bailey for land located in Choctaw County, State of Alabama; and
 A bill (H. R. 17276) for the relief of S. R. Hurley.

SENATE BILLS PASSED WITHOUT AMENDMENT.

The following Senate bills reported from the Committee of the Whole House, without amendment, were severally considered, ordered to a third reading, read the third time, and passed:

S. 4749. An act for the relief of Dewitt Eastman;
 S. 3388. An act to correct the military record of William A. Hinsch;
 S. 1162. An act to correct the naval record of Alfred Burgess;
 S. 5263. An act for the relief of William Parker Sedgwick;
 S. 3125. An act for the relief of Jabez Burchard;
 S. 534. An act to reimburse George W. Young, postmaster at Wanship, Utah, for loss of postage stamps;
 S. 1729. An act for the relief of Alice M. Stafford, administratrix of the estate of Capt. Stephen R. Stafford; and
 S. 5207. An act for the relief of William Radcliffe.

BILLS LAID ON THE TABLE.

The following House bills, reported from the Committee of the Whole House with the recommendation that they lay on the table, were ordered to lie on the table:

A bill (H. R. 1199) for the relief of William Parker Sedgwick;
 A bill (H. R. 7843) for the relief of Jabez Burchard; and
 A bill (H. R. 13586) for the relief of William Radcliffe.

HOUSE OFFICE BUILDING.

Mr. TAWNEY. Mr. Speaker, by the direction of the Committee on Appropriations, I submit the following privileged report and ask for its immediate consideration.

The SPEAKER pro tempore (Mr. SHERMAN). The gentleman from Minnesota, chairman of the Committee on Appropriations, submits the following resolution, which the Clerk will report.

The Clerk read as follows:

Joint resolution (H. J. Res. 208) providing for expenses of the House Office Building.

Resolved, etc., That to supply a deficiency in the appropriation for maintenance, including heating, lighting, and ventilation, miscellaneous items, and for all necessary services for the House of Representatives Office Building for the fiscal year 1909, the sum of \$28,000, or so much thereof as may be necessary, is hereby appropriated out of any money in the Treasury not otherwise appropriated.

The SPEAKER pro tempore. Is there objection to the present consideration of the resolution?

There was no objection.

Mr. TAWNEY. Mr. Speaker, I wish to submit and have read a letter from the Superintendent of the Capitol, and approved by the commission, which explains the necessity for the appropriation.

The Clerk read as follows:

HOUSE OFFICE BUILDING—MAINTENANCE.

OFFICE BUILDING HOUSE OF REPRESENTATIVES,
 Washington, D. C., December 16, 1908.

The HON. J. G. CANNON, W. P. HEPBURN, and JOHN J. FITZGERALD,
 Commission of the House of Representatives to Supervise
 the Construction of an Office Building Therefor.

GENTLEMEN: An immediate appropriation will be required for the maintenance of the House Office Building for the present session of Congress, at the rate of \$3,650 per month, and including the month of December. I would suggest that this appropriation be made to cover the time between December 1, 1908, and June 30, 1909, seven months, amounting to \$25,550. The appropriation should be so worded as to enable us to pay for the services of employees from the 1st of December, this being really in the nature of a deficiency.

I will state to the commission that when this question of maintenance came up last year I stated to the Committee on Appropriations that I would not ask for additional money to the appropriation already made, because I believed that the funds would last until the 1st of December, 1909. This has been the case.

I would further request that an additional sum of \$2,500 be added to the above for the purchase of general supplies for the building, such as towels, laundry work, soap, and general cleaning materials. This sum is based upon the general average of running costs of last session.

Very respectfully,

ELLIOTT WOODS,

Superintendent United States Capitol Building and Grounds.

Approved:

J. G. CANNON, Chairman.

W. P. HEPBURN.

JOHN J. FITZGERALD.

Estimates for maintenance, House Office Building.

	Per day.	Per month.	Cost per month.
1 custodian.....	\$4.00		\$125.00
14 elevator conductors.....		\$100.00	1,400.00
1 housekeeper (30 days).....	2.00		60.00
6 laborers.....	2.00		50.00
1 plumber.....	3.50		95.00
1 dynamo tender.....	2.50		75.00
2 office messengers.....		50.00	100.00
1 carpenter.....	4.00		104.00
40 charwomen.....		20.00	800.00
1 laborer in charge of office (30 days).....	2.00		60.00
3 firemen (30 days).....	2.00		180.00
9 laborers and women for day service.....	1.50		351.00
Total.....			3,650.00

The SPEAKER pro tempore. The question is on the engrossment and third reading of the joint resolution.

The question was taken, and the joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. TAWNEY, a motion to reconsider the vote whereby the joint resolution was passed was laid on the table.

AFFAIRS OF THE DISTRICT OF COLUMBIA.

The SPEAKER pro tempore laid before the House the following message from the President of the United States (S. Doc. No. 599), which was read and, with accompanying papers, referred to the Committee on the District of Columbia:

To the Senate and House of Representatives:

The rapid increase of population in the National Capital within recent years has greatly altered social conditions, necessitating changes in the machinery of its administration. Greater efficiency and a better provision for the protection of both the industrial and dependent classes are required.

Recognizing these needs, I have had a special report made to me on the affairs of the District of Columbia which I transmit

herewith. I cordially approve the recommendations in the report for: the substitution of a single head or Governor in place of three Commissioners; the establishment of District or Municipal Departments in place of the existing Bureaus; and the creation of a new department to be known as that of Housing and Labor. I ask your careful consideration of the entire report; Mr. Reynolds has rendered a great and disinterested service for which our heartiest thanks are due him.

A single executive head would increase efficiency, determine responsibility and eliminate delays and uncertainties inevitable under the present system; Municipal Departments headed by Commissioners to be appointed by the Governor would yield the same advantage.

In the proposed scheme of reorganization, the Department of Education should be coordinated with other City Departments.

I especially urge that the proposed Department of Housing and Labor be established. Poverty, disease and crime are largely due to defects of social conditions and surroundings. The need of improved sanitary inspection of dwellings, rear alleys and small shacks (such as unhappily still exist in Washington) and of stores, work shops and factories should not be left to subordinate Bureau Chiefs, but should be brought under the direct control of a competent head of the above named Department.

An equally important public responsibility is the protection of the independent industrial class which neither desires nor accepts charity, but whose members have often been led to misfortune and even crime through agencies licensed by the state, but defectively and inadequately supervised. Notable among these are pawn-shops, loan and industrial insurances companies and employment agencies. The supervision of these agencies is at present limited to the police. They should be under the direction of officials qualified to advance their efficiency and economic service to the public.

The above named changes would vastly improve the efficiency of the District Government, and would afford protection to its industrial and dependent classes which is imperatively needed.

I also transmit for the consideration of the Congress reports of the Committee on Building of Model Houses which was appointed in accordance with the recommendation of Mr. Reynolds.

THEODORE ROOSEVELT.

THE WHITE HOUSE, December 17, 1908.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. WILSON of Illinois, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following joint resolution and bill:

H. J. Res. 206. Joint resolution to pay the officers and employees of the Senate and House of Representatives their respective salaries for the month of December, 1908, on the 19th day of said month; and

H. R. 22274. An act to authorize the St. Paul Bridge and Terminal Railway Company to construct a bridge across the Mississippi River at or near St. Paul, Minn.

INAUGURATION OF PRESIDENT-ELECT.

Mr. BURKE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table a concurrent resolution adopted by the Senate on the 8th day of December, 1908, providing for the appointment of an inauguration committee, and to consider the same at this time.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

Resolved by the Senate (the House of Representatives concurring). That a joint committee, consisting of three Senators and three Representatives, to be appointed by the President of the Senate and the Speaker of the House of Representatives, respectively, is authorized to make the necessary arrangements for the inauguration of the President-elect of the United States on the 4th day of March next.

The SPEAKER pro tempore. Is there objection to the present consideration of the resolution? [After a pause.] The Chair hears none. The question is on agreeing to the resolution.

The question was taken, and the resolution was agreed to.

ADJOURNMENT.

Then, on motion of Mr. MILLER (at 4 o'clock and 50 minutes p. m.), the House adjourned until to-morrow at 12 o'clock m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and sur-

vey of the inside water route between Savannah, Ga., and Fernandina, Fla.—to the Committee on Rivers and Harbors and ordered to be printed with illustrations.

A letter from the Attorney-General, transmitting, with a copy of a communication from the United States attorney for the middle district of Alabama, certain recommendations relating to the proposed relief of George W. Black, J. R. Wilson, and W. M. Newell—to the Committee on the Judiciary and ordered to be printed.

A letter from the Secretary of the Interior, transmitting a draft of proposed legislation to recompense the Indian proprietors for certain lands transferred to the States of North and South Dakota for school purposes—to the Committee on Indian Affairs and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a list of congressional cases dismissed during the term 1907-8 for lack of proof of loyalty to the United States—to the Committee on War Claims and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a notice of the dismissal of the case of David R. Cook against The United States—to the Committee on War Claims and ordered to be printed.

A letter from the Acting Secretary of the Treasury, transmitting a copy of a communication from the president of the Board of Commissioners of the District of Columbia submitting an estimate of appropriation for inspectors of child labor—to the Committee on Appropriations and ordered to be printed.

A letter from the Acting Secretary of the Treasury, transmitting a copy of a letter from the Secretary of the Interior submitting an estimate of appropriation for new dormitory at Osage Indian School, Oklahoma—to the Committee on Appropriations and ordered to be printed.

A letter from the Acting Secretary of the Treasury, transmitting a copy of a communication from the president of the Board of Commissioners of the District of Columbia submitting an estimate of appropriation for house, site, and furniture for engine company—to the Committee on Appropriations and ordered to be printed.

A letter from the Acting Secretary of the Treasury, transmitting a copy of a communication from the Secretary of the Interior submitting an estimate of deficiency appropriation for printing and binding—to the Committee on Appropriations and ordered to be printed.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 21910) granting an increase of pension to Stephen W. Cummins—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 23986) granting an increase of pension to Alexander M. Rainey—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 24063) granting a pension to Howard Farrell—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. OVERSTREET: A bill (H. R. 24473) to codify, revise, and amend the postal laws of the United States—to the Committee on the Post-Office and Post-Roads.

By Mr. CARTER: A bill (H. R. 24474) for the enrollment in the Five Civilized Tribes of certain persons inadvertently omitted from the rolls—to the Committee on Indian Affairs.

By Mr. MOORE of Pennsylvania: A bill (H. R. 24475) to authorize and require the Philadelphia, Baltimore and Washington Railroad Company to maintain and operate a track connection with the United States navy-yard in the city of Washington, D. C.—to the Committee on the District of Columbia.

By Mr. PETERS (by request): A bill (H. R. 24476) to establish a gold dollar of the value of 50 pence sterling and to provide interchangeable postage stamps with Great Britain—to the Committee on Coinage, Weights, and Measures.

By Mr. BANNON: A bill (H. R. 24477) authorizing the President to appoint and commission, by and with the advice and consent of the Senate, certain brigadier-generals to the grade of major-general—to the Committee on Military Affairs.

By Mr. ALEXANDER of Missouri: A bill (H. R. 24478) providing for the improvement of the Missouri River at certain

points, and making appropriation therefor—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 24479) granting pensions to the teamsters who served the Government of the United States in the war with Mexico, and for other purposes—to the Committee on Pensions.

By Mr. BINGHAM: A bill (H. R. 24480) to define the status of certain distilled spirits commonly known as "soakage"—to the Committee on Ways and Means.

By Mr. FOWLER: A bill (H. R. 24481) to amend an act granting pensions to certain enlisted men, soldiers, and officers who served in the civil war and the war with Mexico—to the Committee on Pensions.

By Mr. SPARKMAN: A bill (H. R. 24482) to provide for a system of inspection of naval stores entering into interstate and foreign commerce and within the jurisdiction of the United States, and to prevent and prohibit fraudulent practices in and the adulterations of such naval stores—to the Committee on Interstate and Foreign Commerce.

By Mr. MALBY: A bill (H. R. 24483) providing for the construction of a revenue cutter for use on the St. Lawrence River and Lake Ontario—to the Committee on Interstate and Foreign Commerce.

By Mr. SPARKMAN: A bill (H. R. 24484) prescribing a punishment for conveying tools or appliances into a jail or prison to aid the escape of prisoners, or rescuing prisoners therefrom—to the Committee on the Judiciary.

By Mr. HOWELL of Utah: A bill (H. R. 24485) directing the Secretary of War to ascertain the amount of money expended by the Territory of Utah from 1865 to 1868, inclusive, and report the same to Congress for its consideration—to the Committee on Claims.

Also, a bill (H. R. 24486) pensioning the surviving officers and enlisted men of the Utah Volunteers employed in the defense of the frontier settlements of the Territory of Utah against Indian depredations during the years from 1865 to 1868, inclusive, and for other purposes—to the Committee on Pensions.

By Mr. SHEPPARD: A bill (H. R. 24487) to amend an act entitled "An act making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1907, and for other purposes," approved June 26, 1906 (Public, No. 297), so as to enable local printers to publish return requests, advertising, etc., on stamped envelopes—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 24488) to consolidate the Bureau of Manufactures and the Bureau of Statistics of the Department of Commerce and Labor into one bureau, to be called the "bureau of foreign and domestic commerce"—to the Committee on Expenditures in the Department of Commerce and Labor.

Also, a bill (H. R. 24489) to authorize the investigation and survey of swamp, wet, and overflowed lands in the valleys of the Red, the Sulphur, and the Cypress rivers of Texas, and to devise plans and systems for the drainage of said lands—to the Committee on Agriculture.

By Mr. ADAIR: A bill (H. R. 24490) to increase the limit of cost for the purchase of site and erection of a post-office building at Elwood, Ind.—to the Committee on Public Buildings and Grounds.

By Mr. SMITH of California: A bill (H. R. 24491) to reimburse the city of Coronado and the Coronado Beach Company for protecting property from the encroachment of the Pacific Ocean—to the Committee on Claims.

By Mr. BRADLEY: A bill (H. R. 24492) to authorize the Secretary of War to donate condemned bronze fieldpiece and cannon balls to the county of Orange, State of New York—to the Committee on Military Affairs.

By Mr. FOCHT: A bill (H. R. 24627) authorizing the Secretary of War to furnish two condemned brass or bronze Napoleon guns, carriages, and cannon balls to the Grand Army post at Lewistown, Pa.—to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ADAIR: A bill (H. R. 24493) granting a pension to John Rittenhouse—to the Committee on Invalid Pensions.

Also, a bill (H. R. 24494) granting a pension to Caleb Trees—to the Committee on Invalid Pensions.

By Mr. AMES: A bill (H. R. 24495) granting an increase of pension to John D. Pederick—to the Committee on Invalid Pensions.

By Mr. ANTHONY: A bill (H. R. 24496) granting an increase of pension to Jonathan Hull—to the Committee on Invalid Pensions.

By Mr. BANNON: A bill (H. R. 24497) granting an increase of pension to John Dufour—to the Committee on Invalid Pensions.

By Mr. BRUMM: A bill (H. R. 24498) granting an increase of pension to Eliza L. Cake—to the Committee on Invalid Pensions.

By Mr. BURNETT: A bill (H. R. 24499) granting a pension to Annie Abney—to the Committee on Pensions.

Also, a bill (H. R. 24500) granting a pension to Sallie Conn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 24501) for the relief of the heirs of Leonard Daniel, deceased—to the Committee on War Claims.

By Mr. CALDER: A bill (H. R. 24502) granting an increase of pension to Matilda Butt—to the Committee on Invalid Pensions.

By Mr. CAMPBELL: A bill (H. R. 24503) for the relief of Charles W. Munn—to the Committee on War Claims.

Also, a bill (H. R. 24504) granting an increase of pension to George M. Zartman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 24505) granting an increase of pension to William H. Losh—to the Committee on Invalid Pensions.

Also, a bill (H. R. 24506) granting an increase of pension to Allen M. Coville—to the Committee on Pensions.

By Mr. CALE: A bill (H. R. 24507) for the relief of Frank W. Swanton—to the Committee on Claims.

Also, a bill (H. R. 24508) granting an increase of pension to Orsemus Dill—to the Committee on Invalid Pensions.

By Mr. CHANEY: A bill (H. R. 24509) granting an increase of pension to Palmer Atkinson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 24510) granting an increase of pension to Johnson H. Fitzpatrick—to the Committee on Invalid Pensions.

By Mr. COCKRAN: A bill (H. R. 24511) granting an increase of pension to Mary A. Bowe—to the Committee on Invalid Pensions.

By Mr. COOPER of Pennsylvania: A bill (H. R. 24512) granting an increase of pension to William J. Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 24513) granting an increase of pension to Henry T. Blair—to the Committee on Invalid Pensions.

By Mr. DAVENPORT: A bill (H. R. 24514) granting a pension to James W. Murphey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 24515) granting an increase of pension to Silas Haynes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 24516) removing the charge of desertion from the name of Alexander C. Rogers—to the Committee on Military Affairs.

By Mr. DAWSON: A bill (H. R. 24517) granting an increase of pension to Morques D. Lillie—to the Committee on Invalid Pensions.

By Mr. DRAPER: A bill (H. R. 24518) granting a pension to Rhoda A. Rogers—to the Committee on Pensions.

Also, a bill (H. R. 24519) for the relief of Peter J. Van Zandt—to the Committee on Military Affairs.

By Mr. ELLIS of Missouri: A bill (H. R. 24520) granting an increase of pension to Henry Morris—to the Committee on Invalid Pensions.

Also, a bill (H. R. 24521) granting an increase of pension to William Wiedenmann—to the Committee on Invalid Pensions.

Also, a bill (H. R. 24522) granting a pension to Charles Sells—to the Committee on Pensions.

By Mr. ESCH: A bill (H. R. 24523) to remuster James E. Brown—to the Committee on Military Affairs.

Also, a bill (H. R. 24524) granting an increase of pension to Catherine E. Fisk—to the Committee on Invalid Pensions.

Also, a bill (H. R. 24525) to remove charge of desertion from military record of George W. Moore, alias George W. More—to the Committee on Military Affairs.

By Mr. FLOYD: A bill (H. R. 24526) granting an increase of pension to Joseph Mattocks—to the Committee on Invalid Pensions.

By Mr. FORDNEY: A bill (H. R. 24527) granting an increase of pension to Gilbert H. Fellows—to the Committee on Invalid Pensions.

Also, a bill (H. R. 24528) granting an increase of pension to Waldron De Clarence—to the Committee on Invalid Pensions.

Also, a bill (H. R. 24529) granting an increase of pension to George L. Bennett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 24530) granting a pension to John Q. Anderson—to the Committee on Pensions.

By Mr. GORDON: A bill (H. R. 24531) granting a pension to Fred M. Jones—to the Committee on Invalid Pensions.

By Mr. GUERNSEY: A bill (H. R. 24532) granting an increase of pension to Henry H. Archer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 24533) granting an increase of pension to George W. Light—to the Committee on Invalid Pensions.

By Mr. HAMILTON of Michigan: A bill (H. R. 24534) granting an increase of pension to John S. Heald—to the Committee on Invalid Pensions.

By Mr. HEPBURN: A bill (H. R. 24535) to authorize the payment of the claim of Morgan Beldon as adjutant of the Twenty-sixth Regiment Illinois Infantry—to the Committee on War Claims.

Also, a bill (H. R. 24536) granting an increase of pension to Francis M. Huston—to the Committee on Invalid Pensions.

Also, a bill (H. R. 24537) granting an increase of pension to G. S. Jenkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 24538) granting an increase of pension to John J. Heisel—to the Committee on Invalid Pensions.

By Mr. HOUSTON: A bill (H. R. 24539) granting an increase of pension to Burkett F. Starnes—to the Committee on Invalid Pensions.

By Mr. HOWELL of New Jersey: A bill (H. R. 24540) granting a pension to Lydia A. Hankins—to the Committee on Invalid Pensions.

By Mr. HULL of Iowa: A bill (H. R. 24541) granting an increase of pension to George W. Barrickman—to the Committee on Invalid Pensions.

By Mr. HULL of Tennessee: A bill (H. R. 24542) granting a pension to Cora C. Cate—to the Committee on Invalid Pensions.

By Mr. HUMPHREY of Washington: A bill (H. R. 24543) granting an increase of pension to Lewis Carbino—to the Committee on Invalid Pensions.

Also, a bill (H. R. 24544) granting an increase of pension to William Logan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 24545) granting an increase of pension to Benjamin B. Goodrich—to the Committee on Invalid Pensions.

Also, a bill (H. R. 24546) granting an increase of pension to Henry T. Turner—to the Committee on Invalid Pensions.

By Mr. JOHNSON of Kentucky: A bill (H. R. 24547) granting an increase of pension to William H. Elder—to the Committee on Invalid Pensions.

Also, a bill (H. R. 24548) granting an increase of pension to Ideral Van Fleet—to the Committee on Invalid Pensions.

By Mr. KIMBALL: A bill (H. R. 24549) granting a pension to George W. Holman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 24550) granting an increase of pension to W. W. Alcock—to the Committee on Invalid Pensions.

By Mr. KINKAID: A bill (H. R. 24551) granting an increase of pension to Charles E. Flower—to the Committee on Invalid Pensions.

Also, a bill (H. R. 24552) granting an increase of pension to Robert Gallagher—to the Committee on Invalid Pensions.

By Mr. KNOWLAND: A bill (H. R. 24553) granting an increase of pension to George W. Seeber—to the Committee on Invalid Pensions.

Also, a bill (H. R. 24554) granting an increase of pension to Joseph Wiederker—to the Committee on Invalid Pensions.

By Mr. LAFEAN: A bill (H. R. 24555) granting an increase of pension to William Jennings—to the Committee on Invalid Pensions.

By Mr. LEE: A bill (H. R. 24556) for the relief of the heirs of Alson Jackson, deceased—to the Committee on War Claims.

By Mr. LEVER: A bill (H. R. 24557) for the relief of Mary E. Stelling, sole heir at law of A. S. Fietas, deceased—to the Committee on War Claims.

By Mr. LOUD: A bill (H. R. 24558) granting an increase of pension to Reuben P. Forbes—to the Committee on Invalid Pensions.

By Mr. LOVERING: A bill (H. R. 24559) granting a pension to S. Augusta West—to the Committee on Invalid Pensions.

Also, a bill (H. R. 24560) granting a pension to Osmond Ames—to the Committee on Invalid Pensions.

Also, a bill (H. R. 24561) granting a pension to Sarah V. Hall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 24562) granting a pension to George B. Gardner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 24563) granting an increase of pension to Luther Stephenson, jr.—to the Committee on Invalid Pensions.

By Mr. McHENRY: A bill (H. R. 24564) granting an increase of pension to Nathan Goodman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 24565) granting an increase of pension to Mary Jane Schreyer—to the Committee on Invalid Pensions.

By Mr. McKINNEY: A bill (H. R. 24566) granting a pension to Charlotte Meyer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 24567) granting an increase of pension to James R. Criswell—to the Committee on Invalid Pensions.

By Mr. MADDEN: A bill (H. R. 24568) granting an increase of pension to Charles H. Wells—to the Committee on Invalid Pensions.

By Mr. MOON of Tennessee: A bill (H. R. 24569) for the relief of John H. Jackson—to the Committee on War Claims.

Also, a bill (H. R. 24570) for the relief of James B. Brown—to the Committee on War Claims.

Also, a bill (H. R. 24571) for the relief of the estate of Washington Pryor, deceased—to the Committee on War Claims.

Also, a bill (H. R. 24572) for the relief of the estate of John A. Heard, deceased—to the Committee on War Claims.

Also, a bill (H. R. 24573) for the relief of the estate of Martin Hartman, deceased—to the Committee on War Claims.

Also, a bill (H. R. 24574) for the relief of the estate of George M. Carroll, deceased—to the Committee on War Claims.

By Mr. OLCOTT: A bill (H. R. 24575) granting a pension to Charlotte Velle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 24576) providing for the restoration and retirement of Frederick W. Olcott as a passed assistant surgeon in the navy—to the Committee on Naval Affairs.

By Mr. OVERSTREET: A bill (H. R. 24577) granting an increase of pension to Caroline T. Coburn—to the Committee on Invalid Pensions.

By Mr. PAYNE: A bill (H. R. 24578) granting an increase of pension to Stephen F. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 24579) granting an increase of pension to George W. Murray—to the Committee on Invalid Pensions.

By Mr. POLLARD: A bill (H. R. 24580) granting an increase of pension to Elizabeth Pinney—to the Committee on Invalid Pensions.

By Mr. RHINOCK: A bill (H. R. 24581) granting a pension to Anna K. Harris—to the Committee on Invalid Pensions.

By Mr. RODENBERG: A bill (H. R. 24582) granting an increase of pension to Charles H. Bliss—to the Committee on Invalid Pensions.

By Mr. SHERMAN: A bill (H. R. 24583) granting an increase of pension to William A. Walker—to the Committee on Invalid Pensions.

By Mr. SLEMP: A bill (H. R. 24584) granting a pension to Robert McCall—to the Committee on Pensions.

Also, a bill (H. R. 24585) granting a pension to Nathaniel L. Lawrence—to the Committee on Pensions.

Also, a bill (H. R. 24586) granting an increase of pension to James E. Cook—to the Committee on Invalid Pensions.

Also, a bill (H. R. 24587) granting an increase of pension to James W. Carter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 24588) granting an increase of pension to La Salle Corbell Pickett—to the Committee on Pensions.

By Mr. SMITH of Missouri: A bill (H. R. 24589) granting an increase of pension to Edward Thompson—to the Committee on Pensions.

Also, a bill (H. R. 24590) granting an increase of pension to Stephen D. Compton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 24591) granting an increase of pension to Joseph N. Harned—to the Committee on Invalid Pensions.

Also, a bill (H. R. 24592) granting a pension to William B. Thurman—to the Committee on Invalid Pensions.

By Mr. SNAPP: A bill (H. R. 24593) granting an increase of pension to William H. Mitchell—to the Committee on Invalid Pensions.

By Mr. SPARKMAN: A bill (H. R. 24594) to correct the record of William Henry Beehler, commodore, U. S. Navy, and to place him on the retired list, United States Navy, with the rank of rear-admiral—to the Committee on Naval Affairs.

By Mr. STERLING: A bill (H. R. 24595) granting a pension to Mary T. Cossitt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 24596) granting a pension to Martha J. Drake—to the Committee on Invalid Pensions.

By Mr. TOWNSEND: A bill (H. R. 24597) granting an increase of pension to James Hamilton—to the Committee on Invalid Pensions.

By Mr. VREELAND: A bill (H. R. 24598) granting an increase of pension to James W. Ashton—to the Committee on Invalid Pensions.

By Mr. WEEKS: A bill (H. R. 24599) granting an increase of pension to Samuel F. Dennen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 24600) granting an increase of pension to Roswell C. Ross—to the Committee on Invalid Pensions.

Also, a bill (H. R. 24601) granting a pension to Olive H. Lincoln—to the Committee on Invalid Pensions.

By Mr. WILSON of Pennsylvania: A bill (H. R. 24602) granting a pension to Hannah L. Carson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 24603) granting a pension to Paulina L. Klepper—to the Committee on Invalid Pensions.

Also, a bill (H. R. 24604) granting an increase of pension to Philip Styers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 24605) granting an increase of pension to John A. Crissman—to the Committee on Invalid Pensions.

By Mr. ADAIR: A bill (H. R. 24606) to remove charge of desertion against Thomas G. Welch and grant him an honorable discharge—to the Committee on Military Affairs.

By Mr. BURNETT: A bill (H. R. 24607) for the relief of Belson Wiley Owens—to the Committee on War Claims.

By Mr. COOPER of Wisconsin: A bill (H. R. 24608) granting a pension to William A. Knipshild—to the Committee on Pensions.

Also, a bill (H. R. 24609) granting an increase of pension to James B. Martin—to the Committee on Invalid Pensions.

By Mr. CRUMPACKER: A bill (H. R. 24610) granting a pension to Charles Brock—to the Committee on Pensions.

Also, a bill (H. R. 24611) granting an increase of pension to Joseph Smith—to the Committee on Invalid Pensions.

By Mr. FOCHT: A bill (H. R. 24612) granting an increase of pension to John Miller—to the Committee on Invalid Pensions.

By Mr. GORDON: A bill (H. R. 24613) for the relief of the legal representatives of William H. Miller, deceased—to the Committee on Claims.

Also, a bill (H. R. 24614) to correct the military record of William H. Seward—to the Committee on Military Affairs.

By Mr. GRAFF: A bill (H. R. 24615) granting an increase of pension to Mary E. McDermott—to the Committee on Invalid Pensions.

By Mr. HUGHES of West Virginia: A bill (H. R. 24616) granting an increase of pension to John Pulley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 24617) granting an increase of pension to F. M. Boso—to the Committee on Invalid Pensions.

By Mr. KIPP: A bill (H. R. 24618) granting an increase of pension to William F. Merrick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 24619) granting an increase of pension to William Hill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 24620) granting an increase of pension to Lester T. Adams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 24621) granting an increase of pension to Eliza A. McKean—to the Committee on Invalid Pensions.

Also, a bill (H. R. 24622) granting an increase of pension to Isaac Babcock—to the Committee on Invalid Pensions.

By Mr. McCREARY: A bill (H. R. 24623) granting an honorable discharge to Daniel W. Overlander—to the Committee on Military Affairs.

By Mr. NYE: A bill (H. R. 24624) granting a pension to Mary S. Byrnes—to the Committee on Pensions.

By Mr. TOU VELLE: A bill (H. R. 24625) granting an increase of pension to Nicholas S. Lovett—to the Committee on Invalid Pensions.

By Mr. WEEMS: A bill (H. R. 24626) granting an increase of pension to James G. Theaker—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Petition of San Francisco (Cal.) Asiatic Exclusion League of North America, praying for the enactment of an exclusion law which will prevent the immigration into the United States of all Asiatics excepting merchants, students, and travelers—to the Committee on Foreign Affairs.

Also, petition of Mrs. F. D. Goodspeed, of Colorado Springs, Colo., and 71 others, protesting against the passage of the so-called "Johnston Sunday bill" (S. 3940), entitled "An act for the proper observance of Sunday as a day of rest in the District of Columbia"—to the Committee on the District of Columbia.

Also, petition of A. C. Bird, of East Walpole, Mass., and 36 others, praying for the enactment of legislation to provide for national cooperation in technical education—to the Committee on Agriculture.

Also, memorial of the Siegel-Cooper Company, of New York City, and various other individuals and firms in the United States, praying for the removal of the duty from raw and refined sugars—to the Committee on Ways and Means.

Also, petition of Amos F. Maker and 36 others, praying for legislation for the establishment of a system of parcels post and for postal savings banks—to the Committee on the Post-Office and Post-Roads.

By Mr. ALEXANDER of New York: Petition of bar association of Erie County, N. Y., favoring increase of United States judges' salaries—to the Committee on the Judiciary.

By Mr. ASHBROOK: Paper to accompany bill for relief of Gifford H. Ramey—to the Committee on Pensions.

By Mr. BURKE: Petition of colored citizens of the United States, favoring legislation to make effective the provisions of the thirteenth and fourteenth amendments to the Constitution—to the Committee on the Judiciary.

By Mr. BURLEIGH: Petition of Fuller Holway Company, of Augusta, Me., favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. CAMPBELL: Paper to accompany bill for relief of Dora E. Atkinson—to the Committee on Invalid Pensions.

Also, petition of hundreds of citizens of the third district of Kansas, against S. 3940 (religious legislation in the District of Columbia)—to the Committee on the District of Columbia.

By Mr. CHANEY: Paper to accompany bill for relief of James B. Freeman—to the Committee on Invalid Pensions.

By Mr. DARRAGH: Petition of William Hursh and 92 other citizens of Gratiot and Montcalm counties, Mich., against enactment of the Johnston Sunday bill (S. 3940)—to the Committee on the District of Columbia.

By Mr. DAVENPORT: Paper to accompany bill for relief of Silas Haynes—to the Committee on Invalid Pensions.

Also, paper to accompany bill for relief of Alexander C. Rogers—to the Committee on Military Affairs.

By Mr. DAWSON: Petition of citizens of Davenport, Iowa, against the extradition of Christian Rudowitz—to the Committee on Foreign Affairs.

Also, petition of Ferd Haak Company, of Davenport, Iowa, favoring reduction in tobacco schedules—to the Committee on Ways and Means.

By Mr. DWIGHT: Petition of citizens of Binghamton, N. Y., against S. 3940 (religious legislation in the District of Columbia)—to the Committee on the District of Columbia.

By Mr. ESCH: Paper to accompany bill for relief of Catherine E. Fisk—to the Committee on Invalid Pensions.

By Mr. FLOYD: Paper to accompany bill for relief of Joseph Mattocks—to the Committee on Invalid Pensions.

By Mr. FOCHT: Petition of Bayer, Beamer & Co., favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

Also, paper to accompany bill for relief of Joseph W. Shirey—to the Committee on Invalid Pensions.

Also, paper to accompany bill for relief of Jacob Erb—to the Committee on Invalid Pensions.

By Mr. FULLER: Petition of the Register-Gazette, of Rockford, Ill., favoring H. R. 22237 (placing wood pulp on the free list)—to the Committee on Ways and Means.

Also, petition of Washington Playground Association, favoring a children's playground—to the Committee on the District of Columbia.

Also, petition of Edward P. Thomas, of Rockford, Ill., favoring the Fuller bill (H. R. 19250), creating a volunteer officers' retired list—to the Committee on Military Affairs.

By Mr. GORDON: Paper to accompany bill for relief of Fred M. Jones—to the Committee on Pensions.

Also, papers to accompany bill to correct the military record of William H. Sewood—to the Committee on Military Affairs.

Also, paper to accompany bill for relief of William W. Miller, late assistant surgeon in United States Public Health and Marine-Hospital Service in the District of Columbia—to the Committee on Claims.

By Mr. GOULDEN: Petition of John F. McCarthey, of New York City, favoring the repeal of tariff on sugar—to the Committee on Ways and Means.

By Mr. GRAFF: Petition of citizens of Bureau, Ill., for legislation to pension members of the Telegraph Corps of the civil war—to the Committee on Invalid Pensions.

By Mr. GRAHAM: Petition of River Improvement and Drainage Association of California, for improvement of Sacramento and San Joaquin rivers—to the Committee on Rivers and Harbors.

Also, paper to accompany bill for relief of Samuel L. Jennison (previously referred to the Committee on Invalid Pensions)—to the Committee on Pensions.

By Mr. GUERNSEY: Petition of Thurston & Kingsbury, of Bangor, Me., favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

By Mr. HAYES: Petitions of H. Tomrose and 142 others, J. C. Arthur and 97 others, Charles McLean and 47 others, George Manchen and 48 others, and Thomas Moore and 47 others, all citizens of the State of California, and E. H. Misner, of 228 Oak street, San Francisco, favoring an effective Asiatic exclu-

sion law against all Asiatics save merchants, students, and travelers—to the Committee on Foreign Affairs.

By Mr. HEPBURN: Petition of F. J. Dunn and others, citizens of Sidney, Iowa, against Senate bill 3940 (religious observance in the District of Columbia)—to the Committee on the District of Columbia.

By Mr. HOWELL of Utah: Petition of Bingham (Wash.) Local Union, Smelters and Miners, No. 201, for investigation and regulation of the Treadwell Mining Company, of Douglas Island, Alaska—to the Committee on Mines and Mining.

By Mr. KAHN: Petitions of Frank E. Rose and 47 other residents of Sonoma County, Cal.; Peter J. Smith and 26 others, and M. W. McDonald and 14 others, all residents of Stockton, Cal.; and H. N. Williams and others, favoring exclusion of all non-assimilable Asiatics—to the Committee on Foreign Affairs.

By Mr. KINKAID: Petition of Omaha Bar Association, favoring increase of salary of federal judges—to the Committee on the Judiciary.

By Mr. KNAPP: Petition of residents of the Twenty-eighth Congressional District of New York, against Senate bill 3940, entitled "An act for proper observance of Sunday as a day of rest in the District of Columbia"—to the Committee on the District of Columbia.

By Mr. LAFEAN: Petition of W. H. Miller & Co. and Samuel A. Wertz, favoring repeal of duty on raw and refined sugars—to the Committee on Ways and Means.

Also, papers to accompany bills for relief of Adam F. Becker (H. R. 24073), Marvin Coshun (H. R. 1603), and Charles Myers (H. R. 15040)—to the Committee on Invalid Pensions.

By Mr. LEE: Paper to accompany bill for relief of heirs of Alson Jackson—to the Committee on War Claims.

By Mr. LINDSAY: Petition of Down Town Taxpayers' Association, against sale of Wallabout lands to National Government—to the Committee on Naval Affairs.

Also, petition of citizens of Brooklyn, for legislation to protect and pay underground miners for death and injury—to the Committee on Mines and Mining.

By Mr. LOUD: Paper to accompany bill for relief of Reuben Park Forbes—to the Committee on Invalid Pensions.

By Mr. MALBY: Petition against Senate bill 3940, entitled "An act for proper observance of Sunday as day of rest in the District of Columbia"—to the Committee on the District of Columbia.

By Mr. MOON of Tennessee: Paper to accompany bill for relief of Thomas Kausinger—to the Committee on Invalid Pensions.

Also, papers to accompany bills for relief of estate of Washington Pryor, estate of John A. Heard, estate of Martin Hartman, John H. Jackson, James B. Brown, and George M. Carroll—to the Committee on War Claims.

By Mr. OVERSTREET: Paper to accompany bill for relief of Caroline T. Coburn—to the Committee on Invalid Pensions.

By Mr. PAYNE: Petition of business men of Moravia, N. Y., against parcels-post legislation—to the Committee on the Post-Office and Post-Roads.

By Mr. PORTER: Petition of citizens of Elba, N. Y., and Elba Grange, No. 783, favoring Senate bills 5122 and 6484, relative to postal savings banks—to the Committee on the Post-Office and Post-Roads.

Also, petition of citizens of Batavia, N. Y., against a parcels-post law—to the Committee on the Post-Office and Post-Roads.

By Mr. ROTHERMEL: Petition of D. Edw. Prutzman and others, against the Johnston bill (S. 3940) providing for religious legislation in the District of Columbia—to the Committee on the District of Columbia.

By Mr. SHERMAN: Paper to accompany bill for relief of William A. Walker—to the Committee on Invalid Pensions.

By Mr. SMITH of Missouri: Petition of Flat River Local Union, No. 225, for legislation looking to relief against accidents in mines and empowering investigation of the Treadwell Mining Company—to the Committee on Mines and Mining.

By Mr. VREELAND: Petition of ministers of Jamestown, N. Y., for enactment of the Bacon original-package bill, the Tirrell bill, a bill prohibiting sale of opium, the Burkett gambling bill, and the Johnston Sunday bill (S. 3940)—to the Committee on Alcoholic Liquor Traffic.

By Mr. WILSON of Pennsylvania: Petition of Frank L. Moore and 45 other residents of Potter County, Pa., against S. 3940 (Sunday observance in the District of Columbia)—to the Committee on the District of Columbia.

Also, petition of John Lyons, J. W. Kinney, and A. N. Auld, of Arnot, Tioga County, Pa., members of Local Union No. 865, United Mine Workers of America, for bill creating a bureau of mines—to the Committee on Mines and Mining.

HOUSE OF REPRESENTATIVES.

FRIDAY, December 18, 1908.

The House met at 12 o'clock noon.

Prayer by the Chaplain, Rev. Henry N. Couden, D. D.

The Journal of the proceedings of yesterday was read and approved.

RESIGNATION OF A MEMBER.

The SPEAKER laid before the House the following communications:

COMMONWEALTH OF PENNSYLVANIA,
EXECUTIVE CHAMBER,
Harrisburg, December 16, 1908.

Mr. ALEXANDER McDOWELL,
Clerk of the House of Representatives, Washington, D. C.

DEAR SIR: I beg leave to send you, for your information, the inclosed copies of self-explanatory communications. Please acknowledge their receipt, and oblige,

Yours, very truly,

A. B. MILLAR, *Private Secretary.*

POTTSVILLE, PA., December 3, 1908.

To His Excellency EDWIN S. STUART,
Governor of the Commonwealth of Pennsylvania.

DEAR SIR: Having been elected on the 3d day of November last as judge of the court of common pleas of Schuylkill County, and as the term for which I was elected as said judge will commence on Monday, the 4th day of January next, when I will be required to take the oath of office, I hereby most respectfully tender my resignation as a Member of the Sixtieth Congress of the United States, to take effect on the 4th day of January, A. D. 1909, and ask that you send acceptance of said resignation to the Speaker of the House of Representatives, Washington, D. C.

I have the honor to be,

Your obedient servant,

C. N. BRUMM,
M. C., Twelfth District Pennsylvania.

COMMONWEALTH OF PENNSYLVANIA,
EXECUTIVE CHAMBER,
Harrisburg, December 16, 1908.

HON. C. N. BRUMM,
Pottsville, Pa.

DEAR SIR: I beg leave to acknowledge the receipt of your letter of the 3d instant, tendering your resignation as a Member of the Sixtieth Congress of the United States, and to advise you that the same is accepted, to take effect the 4th day of January, 1909.

Very truly, yours,

EDWIN S. STUART.

The SPEAKER. The communications will lie upon the table.

BRIDGE ACROSS CURRENT RIVER, MISSOURI.

Mr. SMITH of Missouri. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 23713) authorizing the construction of a bridge across Current River, in Missouri, which I send to the desk and ask to have read.

The Clerk read the bill at length.

The SPEAKER. Has the bill been reported? It does not seem to be upon the calendar.

Mr. SMITH of Missouri. The bill has been reported favorably by the committee, unanimously.

The SPEAKER. When?

Mr. SMITH of Missouri. This morning.

The SPEAKER. Has the gentleman a report with him?

Mr. SMITH of Missouri. I have not the report.

Mr. GAINES of West Virginia. Who made the report?

Mr. SMITH of Missouri. I think it was reported by the chairman.

The SPEAKER. The Chair will request the attention of the gentleman from Iowa [Mr. HEPBURN] and ask him in respect to the bill which has just been read.

Mr. HEPBURN. Mr. Speaker, I will state that that was ordered to be favorably reported by the committee this morning. I suppose the gentleman who has been instructed to make the report has not had time to do so and get it upon the calendar.

The SPEAKER. Was the bill reported with or without amendment?

Mr. HEPBURN. My recollection is without amendment.

Mr. SMITH of Missouri. It was reported without amendment. It is very important to get the bill through as soon as possible.

Mr. MANN. Mr. Speaker, I will state that it was ordered to be reported without amendment.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, read the third time, and passed.

On motion of Mr. SMITH of Missouri, a motion to reconsider the last vote was laid on the table.

HOMESTEAD ENTRY OF LANDS IN THE STATE OF WASHINGTON.

Mr. CUSHMAN. Mr. Speaker, I ask unanimous consent to discharge the Committee of the Whole House on the state of